

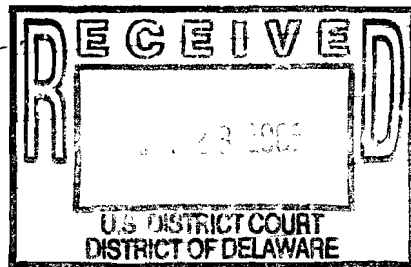
IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

VS.

CA NO. 04-1350(GMS)

DR. SYLVIA FOSTER, ET AL



PLEADINGS AND EXHIBITS  
IN SUPPORT OF MOTION  
FOR PRELIMINARY INJUNCTION #2  
PURSUANT TO FED R. CIV P #65

DATE: 4/22/08

*Jimmie Lewis*  
SDI # 506622  
D.C.C.  
1181 Paddock Rd  
Smyrna, DE 19977

15.) D. CC OFFICERS ARE STOCKPILING FABRICATED SLANDEROUS INCIDENT REPORTS AGAINST ~~MAN~~ PLAINTIFF, IN ORDER TO OBTAIN AN UNFAIR TACTICAL STRATEGIC ADVANTAGE REGARDING CIVIL COMPLAINT FILED AGAINST DEFENDANTS, I-R, DISCOVERY, AND TO HARASS PLAINTIFF SEEKING TO PLACE CRIMINAL CHARGES AGAINST HIM WITHOUT PROVIDING HIM WITH FAIR DUE PROCESS, ("IRREPARABLE HARM INEVITABLE.")

1ST, 8TH AND 14TH U.S. CA VIOLATIONS

14.) LT PETER FORBES BLACKBOXED AKBAR HASSENEZ ~~AM~~, CHRIS DOUGHERTY AND DWAYNE PORTER FOR 24 HOURS IN SHACKLES AND HANDCUFFS.

13.) FOR AN ORDER TO TRANSFER PLAINTIFF TO HIS LEVEL IV COMMITMENT, FOR WHICH STARTED 12/9/07.

17) PLAINTIFFS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS WERE VIOLATED, DUE TO DEFENDANTS FAILING TO CONDUCT A COMPETENCY HEARING AND OR AN OFFICIAL COURT ORDER, PLAINTIFF HAS NOT BEEN DEEMED COMPETENT TO BE SUBJECTED TO D.C.C. ON 12/14/07, AND VIOLATED HIS LIBERTY/INTEREST TO RECEIVE TREATMENT.

6TH, 8TH 14TH U.S.C.A VIOLATION  
VIOLATION OF 11 DEC C § 6525, 6517

16) ON 12/14/07 AT THE D.P.C., CPL IKE DORRIS AND C/O JELLIFFE CHOKED PLAINTIFF, AND DRAGGED HIM 30 TO 40 FEET WHILE TUGGING ON ~~SHACKLES~~ SHACKLES AND HANDCUFFS. WITHOUT JUST CAUSE.

8TH U.S.C.A VIOLATION  
VIOLATION OF 11 DEC C 6535, 6536, 6525.

19) THE PLAINTIFF HEREBY REQUEST THIS HONORABLE COURT TO CONSIDER RESPONDING MOTION(S) AS AFFIDAVITS, DISCOVERY, ADMISSIONS IN SUPPORT OF PLAINTIFFS CONTENTION ~~IN~~ REGARDING HIS MOTION FOR PRELIMINARY INJUNCTION.

18) MR. GIBBS AFTER CONVERSING WITH DR. A CANNULI ABOUT PLAINTIFF ON 2/27/08, INSTRUCTED SECURITY TO PLACE PLAINTIFF IN THE WHOLE (KNOWING SAID ORDER WAS IN VIOLATION OF D.C.C S.O.P OF 24 HRS LEVEL 1, 24 HOURS LEVEL 2, 24 HRS LEVEL 3, 24 HRS LEVEL 4, FOR WHICH COULD HAVE REMEDIED SAID INCIDENT), SECURITY VIEWED MR GIBBS ~~AND~~ INSTRUCTION AS MENTAL HEALTH TREATMENT, AND THEREAFTER HANDCUFFED - SHACKLED WITH BLACKBOX FOR 24 HRS.

SWOLLEN WRIST - ANKLES - SLIPPED DISK IN NECK AND LOWER BACK, THROBING PAIN UP TO DATE DAILY.

8TH U.S.C.A VIOLATION, CIVIL ASSAULT AND BATTERY VIOLATION OF 11 DEZ C 6535, 6525, 6531, 6524

20) THE DEFENDANTS PLEADINGS STATE THAT PLAINTIFF WAS MEDICALLY DIAGNOSED AS NOT HAVING ANY MEDICAL DISEASES AROUND HIS BEING ADMITTED INTO THE D.C.C INFIRMARY ON 12/14/07, BUT ON 12/24/07, BIO REFERENCE LABORATORIES INDICATE THAT PLAINTIFF'S FINGER WAS INFECTED WITH HEAVY GROWTH OF BETA HEMOLYTIC ~~STREPT~~ STREP B. SAID DISEASE WAS CAUSED BY THE FILTHY ROOM DEFENDANTS PLACED PLAINTIFF IN, FOR WHICH WAS COVERED WITH FECES, URINE, HEMOLYTIC STREP B BACTERIA, MUCUS - PHELYM. SAID ROOM HAS NO SINK TO WASH HANDS BEFORE AND OR AFTER MEALS OR UTILIZING THE WHOLE IN THE FLOOR, AND ~~DEFENDANTS~~ DEFENDANTS DENIED PLAINTIFF'S REQUEST TO WASH HIS HANDS. ANTIBIOTICS, CLINDAMYCIN AND BACTRIM WERE PRESCRIBED DUE TO THE SERIOUSNESS OF THE INFECTION. THE FINGER IS DISCOLORED, SWOLLEN, CONSTANTLY THROBS WITH PAIN

8TH U.S.C.A VIOLATION

VIOLATION OF 11 DEL C § 6536, 6504, 6502,

- 26) REQUEST FOR AN IMMEDIATE ORDER FOR RESTRAINING ORDER ON DEFENDANTS
- 25) AN IMMEDIATE ORDER FOR INTERPRISON INTERSTATE TRANSFER TO N.J, PA OR VA.
- 24) 20 MILLION DOLLARS IN PUNITIVE, COMPENSATORY, EXEMPLARY DAMAGES FOR PAIN & SUFFERING CAUSED BY DEFENDANTS
- 23) FOR SAID INJUNCTION TO BE DEEMED SUPPLEMENTAL PLEADINGS
- 22) FOR AN ORDER GRANTING A ~~ON~~ SCHEDULE FOR DISCOVERY, INTERROGATORIES, ADMISSIONS, WRITTEN DEPOSITION,
- 21) FOR AN IMMEDIATE ORDER FOR TRANSFER TO MENTAL HEALTH FACILITY OUT OF STATE PENDING A HEARING FROM THIS HONORABLE COURT REGARDING TREATMENT AND COMMITMENTS.

29) DEFENDANTS FAILED TO MENTION ANYTHING ABOUT THEIR NOT HAVING AN OFFICIAL COURT ORDER TO TRANSFER PLAINTIFF FROM DPC TO DCC ON 12/14/08, FOR WHICH WAS DONE TO CAUSE PLAINTIFF IRREPARABLE HARM FOR FILING CIVIL COMPLAINT 1ST, 8TH, 6TH AND 14TH USCA VIOLATION.

28) CPL IKE DORRIS AND C/O JELLIFFE WERE CAUGHT ON VIDEO ~~THE~~ SURVEILLANCE ASSAULTING PLAINTIFF AT THE DPC ON 12/14/08, IN ORDER TO TRANSFER HIM BACK TO THE D.C.C, IN ORDER TO CAUSE HIM IRREPARABLE HARM FOR FILING CIVIL COMPLAINT 1ST, 8TH, 6TH AND 14TH USCA VIOLATION

27) D.C.C SOP FOR PSYCH OBSERVATION  
 LEVEL 1, 24 HOURS.  
 LEVEL 2, 24 HRS.  
 LEVEL 3, 24 HRS.  
 LEVEL 4, 24 HRS, DISCHARGE.

32) LT JAMES SATTERFIELD HAS REPEATEDLY DENIED ME LEGAL PHONE CALL AFTER PLAINTIFF PROVIDED HIM WITH NUMEROUS LEGAL PHONE CALL REQUEST SLIPS, FORM 883

31) PER DR. ANTHONY DONAHUE D.P.C. ORDER, DEFENDANTS ~~THE~~ DELIBERATELY DENIED PLAINTIFF HIGH LEVEL OF PSYCH OBSERVATION DUE TO PLAINTIFF FILING CIVIL COMPLAINT.

1ST, 8TH AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEL C 6535, 6525, 6524,

30) THE HOUSING UNIT OFFENDER DOCUMENT SHOWS TRANSFERS FROM CELL 5 TO CELL 7, DATE 2/27/08, FOR WHICH IS WHEN BLACKBOX 24 HRS OCCURED.



35) NANETTE BORDLEY, DEFENDANT @A NO 05-0136MS  
FABRICATED CONDUCT DISORDER TO GAIN UNFAIR  
STRATEGIC ADVANTAGE, AS WELL AS TO  
HARASS THE PLAINTIFF.  
(DENIED BY PLAINTIFF).  
1<sup>ST</sup>, AND 14<sup>TH</sup> U.S.C.A VIOLATION  
VIOLATION OF 11 DEL 6536

34) IF DEFENDANTS WOULD HAVE FOLLOWED  
THE D.C.C SOP FOR PSYCH OBSERVATION  
24 HRS ~~PSYCH~~ PSYCH OBSERVATION LEVEL 1  
24 HRS LEVEL 2, 24 HRS LEVEL 3.  
BEFORE PLAINTIFF IS ALLOWED TO CONTRACT SAFETY.  
8<sup>TH</sup> U.S.C.A VIOLATION  
VIOLATION OF 11 DEL C 6535.

33) PLAINTIFF DENIES THAT MENTAL HEALTH  
STAFF WAS ABLE TO REDIRECT HIM BACK INTO  
HIS ASSIGNED CELL, PLAINTIFF WAS FORCED INTO  
CELL ONCE HE INFORMED MENTAL HEALTH  
AND SECURITY THAT HE WAS SUICIDAL, I.E,  
AND A THREAT TO HIMSELF AND OTHERS.

37) PLAINTIFF'S ACTIONS AS STATED BY DEFENDANTS IN THEIR RESPONDING MOTIONS, VALIDATE PLAINTIFF SHOULD NOT BEEN RETURNED TO THE DCC WITHOUT AN OFFICIAL NCC SUPERIOR COURT ORDER, DUE TO DEFENDANTS DEEMING PLAINTIFF BEHAVIOR AS INAPPROPRIATE AND A VIOLATION OF DCC RULES AND REGULATIONS.

SEE DISCIPLINARY HISTORY OF PLAINTIFF AT D.C.C.

6TH AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEL C 6531, 6525, 6524, 6536.

36 DEFENDANTS FAILURE TO RESPOND ONE HUNDRED NINE MINUTES, CAUSED PLAINTIFF SITUATION TO DETERIORATE, DUE TO THEIR DELIBERATE INDIFFERENCE, PLAINTIFF COULD HAVE BEEN IRREPARABLE HARMED, DUE TO PLAINTIFF FILING COMPLAINT. SEE DR# 1038652 AND DR# 1038667 THE FIRST IS TIMED AT 10:11 AM AND THE SECOND IS TIMED AT 11:25 AM.

1ST, 8TH AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEL C 6525, 6517, 6531, 6536

- 41) MR GIBBS GOT HIS ORDERS DIRECTLY FROM DR ANTHONY CANNULI ON 2/27/08, THEREFORE DR. A CANNULI IS LIABLE
- 46) IF DEFENDANTS BELIEVED PLAINTIFF WAS MALINGERING, WHY DID DCE ~~THE~~ PSYCHIATRIST DR. KIMBERLY WATSON KEEP PLAINTIFF ON PSYCH OBSERVATION IN THE DCC INFIRMARY FOR LEVEL FOR 7 WEEKS.
- 39) DR. DE ROSE 2/28/08 MEDICAL RECORDS EXHIBIT (M), STATE PLAINTIFF WAS CUFFED SINCE YESTERDAY. SUPPORTS PLAINTIFF CLAIMS OF BEING BLACKBOXED FOR 24 HOUR WITH SHACKLE AND HANDCUFFS.
- 38) DEFENDANT LARRY SAVAGE CHANGED DISCIPLINARY REPORT # 1038667 FROM APPEAL SOUGHT TO APPEAL NOT SOUGHT. BECAUSE OF CIVIL COMPLAINT PLAINT FILED AGAINST HIM  
1ST AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEC C 6535

44) PLAINTIFF NEVER PERSONALLY MET, SEEN OR TALKED WITH DR. KAREN KOVACIC PRIOR TO 12/12/07 NOR AFTER 12/12/07

43) ON 2/27/08 AT OR ABOUT 8:00 AM.

AT THE D.C.C. ~~DEMAND~~ DR. ANTHONY CANNULI USED MR. GIBBS AS A PAWN, BY INSTRUCTING MR. GIBBS TO DENY THE PLAINTIFF ADMISSION INTO THE D.C.C. INFIRMARY, IN HOPE PLAINTIFF WOULD SUFFER IRREPARABLE HARM DUE TO HIS DENIAL, BECAUSE PLAINTIFF FILED CIVIL COMPLAINT AGAINST HIM

1<sup>ST</sup>, 8<sup>TH</sup> AND 14<sup>TH</sup> USCA VIOLATIONS  
VIOLATIONS OF 11 DEL C § 6525, 6531, 6536, 6524, 6502, 6504.

42) DEFENDANTS REMOVED MR. GIBBS FROM HIS DUTY AT THE SHU UNITS, BECAUSE THEY KNOW HIS MENTAL HEALTH INSTRUCTIONS DEFINE DELIBERATE INDIFFERENCE AND DEFENDANTS FAILURE TO TRAIN, ACT OR CORRECT, BECAUSE PLAINTIFF FILED CIVIL COMPLAINT  
1<sup>ST</sup>, 8<sup>TH</sup> USCA VIOLATION  
VIOLATION OF 11 DEL C 6517, 6525, 6536, 6524, 6502, 6502

45) ATYPICAL AND SIGNIFICANT HARDSHIP  
FROM 12/14/07 UP TO DATE.

DUE TO DEFENDANTS VIOLATING PLAINTIFF  
LIBERTY INTEREST ESTABLISHED WHEN JUDGE ABLEMAN  
GRANTED DR CAVANNAUGH'S 5/17/07 MOTION TO TRANSFER  
PLAINTIFF TO D. P. C. FROM FOR A COMPETENCY EVAL  
AND TREATMENT FOR HIS VERY OWN WELL BEING, WHEN  
DEFENDANTS ON 12/14/07 TRANSFERRED PLAINTIFF  
AGAINST HIS WILL, WITH EXCESSIVE FORCE, BACK TO DCC  
WITHOUT FIRST CONDUCTING A COMPETENCY HEARING  
AND OR OBTAINING AN OFFICIAL COURT ORDER FROM  
JUDGE ABLEMAN, ID NO 0305016966, NCC S.C.T.,  
DEFENDANTS PLACED PLAINTIFF IN THE SHU WITHOUT  
CONDUCTING A HEARING TO PROVIDE HIM WITH WRITTEN  
NOTICE, KNOWING HE WAS EXPERIENCING SERIOUS EMOTIONAL  
DISTRESS OF AGONY - GRIEF AND DISPAIR, AND WAS RECEIVING  
TREATMENT FOR AT THE ~~DCC~~ D P C, AND PLACED PLAINTIFF  
IN SHU WITHOUT PROVIDING TREATMENT HE WAS RECEIVING  
AT D P C, AUDIO THERAPY, ART THERAPY, ANGER MANAGEMENT,  
PSYCHOTHERAPY FROM PSYCHIATRIST, SOCIAL THERAPY,  
COUNSELING, PER DCC THERAPY FOR ALLEGED INAPPROPRIATE  
SEXUALITY, DAILY OUTDOOR REC, HIGH PROTEIN VEGETARIAN  
DIET, ~~WEIGHT~~ WEIGHT TRAINING UNLIKE HEREAT THE DCC SHU  
BECAUSE FILED CIVIL COMPLAINT.

1<sup>ST</sup>, 6<sup>TH</sup>, 8<sup>TH</sup> + 14<sup>TH</sup> USCA VIOLATIONS  
VIOLATION OF 11 DEL C 6517, 6525, 6504, 6531.

#47) PLAINTIFFS CLASSIFICATION TO SNU,  
 SPECIAL NEEDS UNIT FOR 1 YEAR ~~BA~~  
 ESTABLISHED HIS PROTECTED LIBERTY INTEREST.  
 PRIOR TO HIS BEING TRANSFERRED TO DPC  
 ON 6/6/07, AND DEFENDANTS SHOULD HAVE  
 CONDUCTED A HEARING PROVIDING PLAINTIFF WITH  
 WRITTEN NOTICE, ETC PRIOR TO PLACING HIM  
 IN SNU. WITHOUT TREATMENT ACCESS. LIKE  
 OTHER INMATES WHO ATON RETURN FROM DPC  
 GET TREATMENT ON GENERAL POPULATION OR SNU  
 8TH & 14TH USCA VIOLATION

#46) DUE TO DELIBERATE INDIFFERENCE  
 DEFENDANTS DID NOT PETITION TO THE COURT  
 FOR HIGHER PSYCHIATRIC OBSERVATION OF  
 PLAINTIFF, DUE TO THEIR FAILURE TO ~~SA~~  
 STABILIZE HIM AFTER 30 DAYS IN THE PSYCH ROOM,  
 IN D.C.C INFIRMARY, IN ACCORDANCE TO D.C.C S.O.P.  
 SAID FAILURE CAUSED PLAINTIFF ATYPICAL + SIGNIFICANT HARSHIP  
 8TH USCA VIOLATION  
 VIOLATION OF 11 DELC 6525, 6536, 6517

# 48.) THE PLAINTIFF DID NOT SEEK TO BE PLACED ON PROTECTIVE CUSTODY, EXCLUSIVELY BECAUSE OF INMATES, BUT BECAUSE OF OFFICERS WHO COMMISSION INMATES TO DO IRREPARABLE HARM TO PLAINTIFF.

# 49.) ENOUGH EVIDENCE HAS BEEN SUBMITTED AND OR OBTAINED THUS FAR; FOR THIS HONORABLE COURT TO GRANT PLAINTIFFS AMENDED PLEADINGS FOR PRELIMINARY INJUNCTION IN ALL ASPECTS.

# 50.) DEFENDANTS DURING EARLY APRIL 2008 BEGAN ASSIGNING 12 AM TO 8 AM SHIFT OFFICERS, A TEAM OF MUSCULAR OFFICERS I.E., TALL AND SHORT IN STATURE), WHO HAVE BEEN ON DUTY IN THE IMMEDIATE AREA, WHEN IRREPARABLE HARM HAS BEEN INFLICTED UPON INMATES; I.E., AN INMATE THAT ALLEGEDLY HUNG HIMSELF WHEN DCC FAILED TO RELEASE HIM WHEN THEY WERE SUPPOSE TO, WITH A MYSTERIOUS GASH ON HIS HEAD, I.E., WITH THE EIGHT INCH METAL PIPE USED FOR AN OPENING DOOR-CELLS IN THE SHU; CIRCUMSTANTIALLY IRONIC.

THIS ALONG WITH THE INMATE WHO WAS TRANSFERRED TO DCC INFIRMARY. FROM SHU 18 C UNIT LOWER(S)?, DIED FROM SOME MYSTERIOUS "BACTERIA" DUE TO INTERNAL BLEEDING, BUT THE INMATE NETWORK SYSTEM CONTRADICTS THE AFOREMENTIONED, STATING INMATE DIED DUE TO BLUNT FORCE TRAUMA TO THE BODY AFTER HE ALLEGEDLY THREW URINE ON NURSE TONYA COLLINS.

THOSE OFFICER ARE NOW ON DUTY 12 TO 8 SHU 17.

SGT WILLIAMS IS USUALLY THE BUILDING SGT ON DUTY.



- #51.) VIDEO SURVEILLANCE IS NOT UTILIZED WHEN EXTRACTING AN ALLEGED UNRULLY INMATE FROM ASSIGNED CELL WHO ARE IN SHU 17 AND SHU 19, FOR WHICH TURNS INTO A MATTER OF CREDIBILITY WHEN CLAIMS ARE MADE.
- #52.) VIDEO SURVEILLANCE IS UTILIZED WHEN EXTRACTING AN ALLEGED UNRULLY INMATE FROM ASSIGNED CELL WHO ARE IN SHU 18 ON CUNIT, CLASSIFIED TO BE ON PROTECTIVE CUSTODY.
- #53] THE DEFENDANTS HAVE FAILED TO PROVIDE THE PROTECTIVE CUSTODY POLICY, TO SUPPORT THEIR CLAIMS AS STATED IN THEIR RESPONSE, NEEDED TO DETERMINE IF THEY HAVE VIOLATED THE PLAINTIFF.
- #54) SINCE 1/22/08, THE DEFENDANTS UTILIZING THE PLAINTIFFS DIAGNOSES OF MALINGERING FROM D.P.C PSYCHIATRIST, TO MEAN THAT THE PLAINTIFF IS NOT PSYCHOTIC AND OR SUICIDAL, SUPPORTS HIS CLAIMS HEREIN.
- #55) THE DEFENDANTS HAVE NOT SUBMITTED PLEADING THAT THEY HAVE NOT DELIBERATELY KEEP FROM PLACING PLAINTIFF ON THE PROTECTIVE CUSTODY UNIT, BECAUSE IT'S EASIER TO CAUSE PLAINTIFF IRREPARABLE HARM ON OTHER SHU UNITS, 17 AND 19.



#56.) DEFENDANTS HAVE ACCESS TO PLAINTIFFS PLEADINGS, EXHIBITS, MOTIONS, AFFIDAVITS, VIA CM/ECF SYSTEM, AND THEY WILL NOT BE PREJUDICED BY THIS HONORABLE COURT UTILIZING SAID EVIDENCE IN THIS MATTER.

#57.) DEFENDANTS SHOULD BE FINED DAILY MONETARY SANCTIONS FOR THE DELAY AND OR FAILURE TO ADHERE TO ANY AND ALL ORDERS SUBMITTED HEREIN, IN ACCORDANCE TO FED R. CIV P# 37.

# 58.) IN SUPPORT OF PLAINTIFF'S SAFETY CONTENTION REGARDING LT PETER FORBES, ON OR ABOUT APRIL 14, 08 IN THE COURSE OF EXTRACTING INMATE DWAYNE PORTER SHU 17 A L 11, IN ORDER TO TRANSFER SAID INMATE TO SOLITARY CONFINEMENT ON SHU 18 C UNIT, THE PLAINTIFF PERSONALLY WITNESSED LT P. FORBES KICK INMATE PORTER IN HIS FACE WITH HIS STEEL TOE BOOTS, WHILE INMATE PORTER WAS LYING ON THE FLOOR SHACKLED AND HANDCUFFED. SUBSEQUENTLY, INMATE DWAYNE PORTER WAS SHACKLED AND HANDCUFFED WITH BLACKBOX PER LT FORBES.

FURTHERMORE, LT PETER FORBES ALSO IS RESPONSIBLE FOR SHACKLE AND HAND CUFFING AKBAR HASSENEL AND ~~ON~~ CHRIS DOURGHTY. AFTER ESCORTING THEM TO BUILDING 18 SIU @ UNIT, (~~AMERICAN INDIAN~~).

#59.) THE PLAINTIFF HAS A USCA RIGHT TO WANT AND OR RECEIVE "BETTER MEALS", ESPECIALLY DUE TO HIS PRESENT CUSTODIANS SERVING HIM SPOILED FOOD, MILDEWED FOOD, FOOD PRESENTING WITH AND TASTING LIKE CLEANING CHEMICALS, ON ~~DIRTY~~ TRAYS THAT ARE GRIMMY WITH SLIMMY AND OR DIRTY MATTER.

#60.) DEFENDANTS VIA CANO'S 06-778 (GMS), 04-1350 (GMS) AND 05-013 (GMS), HAVE BEEN MADE FULLY AWARE OF PLAINTIFFS MEDICAL AND MENTAL HEALTH CONTENTIONS & AS WELL AS BY WAY OF WRITTEN NOTATIONS, SICK CALL REQUEST SLIPS, FOR WHICH DEFINE PLAINTIFF EXPLAINING ALL OF HIS MENTAL HEALTH AND OR MEDICAL CONTENTIONS AT ANY GIVEN TIME AT ONCE AS CUMBERSOME, UNREASONABLE AS WELL AS FUTILE.

#61.) THE DEFENDANTS HAVE FAILED TO PROVIDE THE D.C.C, .S.O.P POLICY FOR PSYCH OBSERVATION 1, 2+3, TO SUPPORT THERE CLAIMS THAT THEY ARE NOT IN VIOLATION OF THE PLAINTIFFS USCA RIGHTS AND OR UNDER COLOR OF STATE LAWS.

#69) DEFENDANTS HAVE FAILED TO GIVE PLAINTIFF A DISCIPLINARY HEARING WITHIN 3 TO 7 DAYS, ABSENT EXTRAORDINARY CIRCUMSTANCES, FOR WHICH VIOLATES HIS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS, AND GIVES REASON WHY ALL OF THE PLAINTIFFS SANCTION SHOULD BE RESCINDED DUE TO VIOLATIONS OF PLAINTIFFS 14TH USCA RIGHTS AND HIS RIGHTS UNDER 11 DEL C § 6535, (#'S 1038667 AND #1038652).

#70) DEFENDANTS HAVE FAILED TO GIVE PLAINTIFF A DISCIPLINARY HEARING WITHIN 15 DAYS, ABSENT EXTRAORDINARY CIRCUMSTANCES, FOR WHICH VIOLATES HIS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS, AND GIVES REASON WHY ALL OF THE PLAINTIFFS SANCTION SHOULD BE RESCINDED DUE TO VIOLATIONS OF PLAINTIFFS 14TH USCA RIGHTS AND HIS RIGHTS UNDER 11 DEL C § 6535, (#'S 1038667 AND #1038652).

#71) LT KAREN HAWKINS AND LT JAMES SATTERFIELD HAVE ISSUED MEMORANDUMS DEFINING LIBEL + SLANDER, ~~THAT~~ AGAINST PLAINTIFF, FOR STAFF TO DENY PLAINTIFF LEGAL PHONE CALLS AND TELEVISION, AND FOR THEM TO TREAT PLAINTIFF UNLIKE OTHER INMATES. BECAUSE HE FILED CIVIL COMPLAINTS AGAINST DEFENDANTS.  
1ST AND 14TH USCA VIOLATION.  
VIOLATIONS OF 11 DEL C, 8504, 6502, 6517

# 12.) DEFENDANTS HAVE FAILED TO ACT, CORRECT REGARDING BRIAN ENGRAM, THE LAW LIBRARIAN. FAILURE TO PROVIDE PLAINTIFF WITH PROPER LEGAL ASSISTANCE, FOR WHICH CAUSED PLAINTIFF IRREPARABLE HARM, I.E., DENIAL OF HIS FIRST POSTCONVICTION MOTION SEE; LEWIS V. STATE, 2006 DEL LEXIS 654, (DEL DEC 12, 2006.). BRIAN ENGRAM FAILED TO PROVIDE PLAINTIFF WITH PHOTO COPIES AND MAILING SUPPLIES IN AN EXPEDITE MANNER IN REGARDS TO ~~MAINTAIN~~ PROVIDING HIM WITH SAID LEGAL MATERIAL TWO WEEKS PRIOR TO DEADLINE AND GIVING HIM NOTICE OF DEADLINE, AND HIS INABILITY TO OBTAIN MAILING SUPPLIES DUE TO HIS INDIGENT STATUS. SAID FAILURE RESULTED IN PLAINTIFFS APPEAL BEING DENIED AS UNTIMELY, (83 CONTENTION), FOR WHICH WOULD HAVE REVERSED PLAINTIFFS CONVICTION.

GRIEVANCES WERE FILED.

1<sup>ST</sup> USCA RIGHT VIOLATION  
VIOLATION OF 11 DEL C § 6517, 6502, 6504

# 73 INJURIES ; CAUSED BY DEFENDANTS, VIOLATIONS OF  
11 DEC C § 6517, 6536, 6502, 6504, 6525, 8TH USCA RIGHT VIOLATIONS:

- 1.) 38 POUND WEIGHT LOSS DUE TO  
ATYPICAL AND SIGNIFICANT HARDSHIP.
- 2.) SWELLING TO WRIST, LEGS, (SHOULDER - LEFT),  
"SLIPED DISK IN NECK AND LOWER BACK."
- 3.) PERSISTING HEADACHES
- 4.) PARANOIA, DELUSIONS, HALUCINATION
- 5.) SWOLLEN TONGUE, CAUSING SPEECH  
PROBLEMS, TROUBLE BREATHING AND EATING.  
38 POUNDS WEIGHT LOSS IN 90 DAYS.
- 6.) INCOMPETENCE, I.E., RECIDIVISM
- 7.) ANTI-SOCIAL BEHAVIOR
- 8.) EAR-RINGING.
- 9.) BLACKOUTS
- 10.) EMOTIONAL DISTRESS, I.E.,  
38 POUND WEIGHT LOSS IN 90 DAYS

- 11.) NERVE DAMAGE TO BRAIN
- 12.) HYPERTENSION
- 13.) MILD NUTRITION, DUE TO POISONOUS FOOD  
CAUSING VOMITTING, NAUSEA, LOSS OF APPETITE.  
38 POUND WEIGHT LOSS.
- 14.) THICK YELLOWISH GREEN PHLEGM,  
IN CHEST.
- 15.) ~~INTESTINAL~~ HERNIA, GUINAL
- 16.) DRY SKIN ON FEET, CRACKED SEVERELY
- 17.) SEVERE TOE NAIL FUNGUS.
- 18.) LACTOSE INTOLERANCE, PROTEIN DEFICIENCY.  
38 POUND WEIGHT LOSS IN 90 DAYS
- 19.) RED MEAT VEGETARIAN, I.E., PROTEIN  
DEFICIENCY, 38 POUND WEIGHT LOSS IN 90 DAYS.
- 20.) TISSUE EDEMA IN HANDS AND FEET,  
DUE TO BLACKBOX SHACKLES AND  
HANDCUFFS.

- 21.) ATHLETES FEET, ITCHY
- 22.) HIGH ANXIETY.
- 23.) DEPRESSION!
- 24.) 50 DAYS OF GOOD TIME, AND  
30 DAYS OF ISOLATION.
- 25.) ~~OWN~~ CONDEMNATION, HUMILIATION,  
DEGRADATION, SEGREGATION, DISCRIMINATION  
DUE TO FAILURE TO PROVIDE LESS  
RESTRICTIVE CONFINEMENT SUCH AS :  
WORK RELEASE ; GENERAL POPULATION,  
SNU, OR LEVEL IV PRISONER CENTER.
- 26.) FAILING VISION, DUE TO POORLY  
LITE QUARTERS.
- 27.) IRREPARABLE HARM CAUSED BY  
LAW LIBRARIAN, SEE # 72 HEREIN.
- 28.) THROBING PINKY FINGER, ACHES CONSTANTLY,  
PRESENTS AS DISCOLORED AND DISTORMED.

#74.) DEFENDANTS SENTENCING ORDER ESTABLISH HIS LIBERTY INTEREST RIGHT TO BE PROVIDED WITH MENTAL HEALTH THERAPY, (6TH USCA RIGHT).

#75.) WHILE THE PLAINTIFF WAS SITTING AND HANDCUFFED WITH BLACKBOX, HE FELL TO FLOOR "TWICE" WHEN HE TRIED TO STAND UP, THIS IS WHEN PLAINTIFF HURT HIS NECK AND LOWER BACK. 8TH USCA VIOLATION.

VIOLATION OF 11 DEL C § 6517, 6502, 6504, 6525, 6524, 6536

#76.) REQUEST FOR ORDER OF DAILY MONETARY FINES FOR DEFENDANTS DELIBERATE DELAY AND OR FAILURE TO ADHERE TO ANY AND OR ALL ORDERS SUBMITTED HEREIN BY THIS HONORABLE COURT OF \$150.00, FOR EACH ORDER DEFENDANTS ARE IN CONTEMPT OF.

#77.) D.C.C OFFICER GREGORY PIERCE SINCE 1/22/08, SINCE PLAINTIFF'S ARRIVAL TO SITU 17, A UNIT, HAS LAUNCHED A DILIGENT CAMPAIGN AGAINST PLAINTIFF, FOR DEFENDANTS TO CRIMINALLY CHARGE PLAINTIFF FOR D.C.C INFRACTIONS, REGARDLESS OF D.C.C S.O.P, DUE TO PLAINTIFF FILING CIVIL COMPLAINTS AGAINST DEFENDANTS, (SEE DISCIPLINARY REPORTS #1038652 AND #1038667),

14TH, 1ST AND 8TH USCA RIGHT VIOLATIONS

VIOLATIONS OF 11 DEL C § 6536, 6502, 6504, 6517, 6531, 6524.



#78.) SINCE THE PLAINTIFFS TRANSFER BACK TO D.C.C FROM D.P.C ON 12/14/07, DR. ANDREW DONAHUE HAS BEEN FIRED FROM D.P.C., DUE TO THE DELIBERATE INDIFFERENCE OF ABUSE, NEGLECT, MISTREATMENT AND ASSAULT DESCRIBED IN THE 100 OR MORE GRIEVANCES FILED BY THE PLAINTIFF DURING HIS 6/6/07 THRU 12/14/07 STAY AT THE D.P.C, FOR THE PLAINTIFF FILING CIVIL COMPLAINT CA NO. 04-1350 (GMS), AGAINST D.P.C STAFF MEMBERS. 1ST, 8TH U.S.C.A VIOLATIONS, CIVIL ASSAULT AND BATTERY

#79.) DEFENDANTS REFUSED TO MONITOR PLAINTIFF FOR PSYCH OBSERVATION IN THE D.C.C INFIRMARY ON 2/27/08, BECAUSE THE D.C.C INFIRMARY HAS FULLY OPERATIONAL SURVEILLANCE CAMERAS, DOORS THAT MUST BE OPENED MANUALLY, AS WELL AS MENTAL HEALTH TREATMENT THAT WOULD HAVE STABILIZED PLAINTIFF, (IN A ~~PRO~~ PROTECTIVE CUSTODY TYPE OF CONFINEMENT).

#80.) FOR AN IMMEDIATE ORDER TO PLACE THE PLAINTIFF ON FEDERAL WITNESS PROTECTION STATUS.

#81.) PLAINTIFF HEREBY REQUEST FOR THIS HONORABLE COURT TO TAKE INTO CONSIDERATION THE MORE THAN 80 U.S.C.A VIOLATIONS UNCOVERED AND REPORTED BY THE FEDERAL INQUIRY CONDUCTED ON THE D.C.C, I.E, DELAWARE D.O.C, 2007, IN SUPPORT HEREIN DUE TO THE MAJORITY OF PLAINTIFF'S CLAIM BEING FILED PRIOR TO THE FEDERAL INQUIRY, AND GAVE INSIGHT TO SAID INQUIRY.

#82.) APON BEING ADMITTED TO THE PCC INFIRMARY ON 12/14/07, PLAINTIFF REQUESTED A HIGH PROTEIN DIET FOR RED MEAT VEGETARIANS, ENSURE HEALTH SHAKE, PEANUT BUTTER INSTEAD OF RED MEAT, AND A ONE A DAY VITAMIN FOR THE PURPOSE TO FULFILL HIS RELIGIOUS OBLIGATION AND FOR PROPER PROTEIN SUPPLEMENTATION; DR O DURING JAN 2008 APPROVED SAID REQUEST AND WROTE A REFERRAL FOR PLAINTIFF, THAT DEFENDANTS REFUSE TO ALLOW THE DIETICIAN TO ORDER DUE TO THE CIVIL COMPLAINTS HE FILED AGAINST THEM.

PLAINTIFF IS A HEBREW ISRAELITE, (SEE 2/21/08 LETTER TO WARDEN).

1<sup>ST</sup>, 8<sup>TH</sup> & 14<sup>TH</sup> U.S. CA VIOLATIONS, (38 POUND WEIGHT LOSS IN 90 DAYS).  
VIOLATIONS OF 11 DEC C § 6517, 6502, 6504, 6536, 6524, 6531

#83.) FOR AN IMMEDIATE ORDER FOR A HIGH PROTEIN DIET OF 2 ENSURES DAILY, PEANUT BUTTER INSTEAD OF RED MEAT, 1 PIECE OF FRESH FRUIT EACH MEAL, AND A ONE A DAY VITAMIN DAILY, FOR RELIGIOUS ~~WELL~~ AND SUPPLEMENTAL PROTEIN AND NUTRITIONAL PURPOSES

#84.) FOR AN ORDER GRANTING THIS HONORABLE COURT AUTHORITY TO CONDUCT A FEDERAL INQUIRY, TO INVESTIGATE THE DEMISE OF THE PLAINTIFF, AS WELL AS TO GRANT POWER OF ATTORNEY TO PLAINTIFF'S DAUGHTERS, LAFOYA JOHNSON AND JAMARA JOHNSON, FOR ALL OF HIS PENDING CIVIL COMPLAINTS, CA NO'S 04-1350(GMS), 06-778 (GMS), 05-013 (GMS), 06-238 (GMS) AND 04-1410 (GMS).

#85.) THE PLAINTIFF FILED NUMEROUS CASE WITH THE COURTS WHILE AT THE D.C.C., FOR WHICH HE DID NOT HAVE TO PAY POSTAL FEES DUE POSTAL FEES BEING FREE AT THE TIME, VIA STATE MAIL COURIER SERVICE, BUT AROUND DEFENDANTS REALIZING PLAINTIFF FILED CIVIL COMPLAINT AGAINST STATE EMPLOYEES, THEY MADE ~~THE~~ THE STATE MAIL COURIER SERVICE UNAVAILABLE TO PLAINTIFF, CAUSING PLAINTIFF TO PAY POSTAL FEES WITHOUT ALLOWING PLAINTIFF TO GRIEVE SAID CHANGE IN POSTAL RULES, VIA P.L.R.A, BUT CONTINUE TO UTILIZE SAID STATE MAIL COURIER SERVICE THEMSELVES. DEFENDANTS ACTIONS, ALONG WITH PLACING HIM IN SEGREGATION, WITHOUT PROVIDING HIM WITH A JOB, EVEN THOUGH HE WAS ELIGIBLE, HAS CAUSED PLAINTIFF TO BECOME TOTALLY INDIGENT ~~AND~~ AN UNABLE TO OBTAIN COMMISSARY, NEW SNEAKERS, T-SHIRTS, LIKE OTHER INMATES, AND HAS CAUSED HIM ATYPICAL AND SIGNIFICANT HARDSHIP. THIS WAS DONE TO DISCOURAGE PLAINTIFF FROM SEEKING REDRESS FROM THE COURTS. SEE ALSO # 72 HEREIN, (SEE PLAINTIFF'S 2/21/08 NOTATION ATTACHED AS EXHIBIT). 1ST AND 14TH U.S.C.A RIGHT VIOLATIONS.

#86.) ON FEB 2008 PLAINTIFF SUBMITTED APPLICATION FOR INTERSTATE PRISON TRANSFER TO CLASSIFICATION OFFICER LT THOMAS SEACORD AND LINDA KEMP COUNSELOR, STATING ATYPICAL AND SIGNIFICANT HARDSHIPS, I.E, NO VISITS SINCE BEING INCARCERATED IN DELAWARE 5/26/03, BEING SUBJECTED TO GENDER DISCRIMINATION, HARASSMENT, BEING SUBJECTED TO IRREPARABLE HARM BY INMATES AND OFFICERS DUE TO FILING CIVIL COMPLAINTS, NOT BEING TRANSFERRED TO LEVEL II HIS NEXT LEVEL OF COMMITMENT, BEING TREATED WITH DELIBERATE INDIFFERENCE BY MEDICAL & MENTAL HEALTH STAFF, ETC. LT SEACORD STATED, "I QUOTE THIS IS GOING TO BE DENIED," UNQUOTE. 1ST 8TH & 14TH U.S.C.A VIOLATION. VIOLATION OF 11 DEC C 6517, 6504, 6402, 6531

# 87.) FOR AN ORDER TO PRODUCE LT PETER FORBES DISCIPLINARY RECORD, DUE TO LT FORBES HAVING THE TYPE OF DISCIPLINARY HISTORY, THAT SUPPORTS THE PLAINTIFF'S CLAIMS.

# 88.) BECAUSE OF THE IRREPARABLE HARM CAUSED TO INMATES DURING THEIR CONFINEMENT AT THE D.C.C, D.C.C HAS BEEN RATED AS ONE OF THE TOP TEN WORST PRISONS IN THE UNITED STATES BY THE U.S FEDERAL BUREAU OF INVESTIGATION.

# 89.) THE 2007 FEDERAL INQUIRY CONDUCTED AT THE D.C.C SUPPORTS THE FACT THAT THE DEFENDANTS HAVE NOT TAKEN PROPER ACTION TO REHABILITATE THE PLAINTIFF, DUE TO THEIR DELIBERATE INDIFFERENCE BECAUSE HE FILED CIVIL COMPLAINTS AGAINST THEM, FOR WHICH INEVITABLY WILL CAUSE PLAINTIFF IRREPARABLE HARM, DUE TO DEFENDANTS DENYING PLAINTIFF HIS REQUEST FOR JOB TRAINING, BEHAVIOR MODIFICATION FOR ALLEGED INAPPROPRIATE BEHAVIOR, HIGH LEARNING COURSE HERE OR VIA U.S POSTAL, ANGER MANAGEMENT, COUNSELING AND TREATMENT PROGRAMS, THAT THE STATE OF DELAWARE'S CONGRESSIONAL COMMITTEE HAS MADE AVAILABLE FOR HIM UNDER COLOR OF STATE LAW, AS WELL AS UNDER THE PROTECTION OF THE U.S.C, FOR WHICH THE DEFENDANTS DENIED PLAINTIFF'S REQUEST, WITHOUT A HEARING PROVIDING WRITTEN NOTICES OF WHY, FACT FINDING RATIONAL, PRESENT EVIDENCE IN HIS OWN BEHALF, CONFRONT HIS ACCUSERS OR APPEAL. DEFENDANT KNOW VERY WELL THAT SAID DENIAL, PREVENTS PLAINTIFF FROM PRESENTING AS A STABLE MINDED, LAW ABIDING, TAX PAYING, MARKETABLE CITIZEN WHEN HE IS RELEASED, AND HAS DENIED PLAINTIFF THE ABILITY TO RATIONALLY AND REALISTICLY NOT CONSIDERING RE-OFFENDING, SEE DISCIPLINARY HISTORY, CRIMINAL HISTORY, SENTENCING ORDER. 1ST, 6TH, 8TH + 14TH USCA VIOLATIONS, AND 110ELC 6512, 6504, 6524, 6533, 6531

#90.) AN ORDER FOR A INDEPENDANT LEGAL ASSISTANCE GROUP OR FIRM, TO ASSIST PLAINTIFF AND INMATES FILE DIRECT APPEALS, POST CONVICTION APPEALS, WRIT OF HABEAS CORPUS PETITIONS AS WELL AS CONDITION OF CONFINEMENT CIVIL COMPLAINTS.

#91.) FOR AN ORDER TO ALLOW SHU AND MHU INMATES SUCH AS PLAINTIFF, TO TAKE THE GED TEST, AND TO TAKE COLLEGE COURSES HERE AND VIA U.S POSTAL.

#92.) THE 2007 FEDERAL INQUIRY SUPPORTS THE PLAINTIFFS CONTENTIONS THAT D.C.C DOES NOT MET THE STANDARD FOR AN EVOLVING SOCIETY, REGARDING TECHNOLOGY, EDUCATION, COMMISSARY INFLATION, INSTITUTION JOB SALARIES, INDIGENCY, JOB TRAINING, ACCREDITED / VOCATIONAL TRAINING, PRE RELEASE CARE, POST RELEASE CARE, MENTAL HEALTH EVALUATION AND TREATMENT, MEDICAL EVALUATION AND TREATMENT, DISCIPLINARY PROCEPURES, CLASSIFICATION OF INMATES.

#93.) FOR AN ORDER FOR DEFENDANTS TO PROVIDE INCOME APON THE PLAINTIFFS RELEASE FOR SUPERVISED CUSTODY, FOR RENT, TRANSPORTATION, CLOTHING, FOOD, MEDICAL AND OR MENTAL HEALTH TREATMENT, FOR UP TO ONE YEAR AFTER HIS RELEASE FROM SUPERVISED CUSTODY, AND OR UNTIL HE CAN PROPERLY PROVIDE FOR HIMSELF.

ESTABLISHED 143 YEARS AGO IN 1865, THE ELEMENTS OF SLAVERY AND INVOLUNTARY SERVITUDE, PRIOR TO THE COMPLETION OF APPEAL PROCEDURE, IS WHY #94) THE 13TH U.S.C.A HAS ALLOWED DEFENDANTS TO THREATEN HIM IN A INHUMAN MANNER, LIKE A SUBJUGATED BEAST OF BURDEN - HANDCUFFED - SHACKLED - WITH AND WITHOUT BLACKBOX - INDIGENT - ALIENATED, DISCRIMINATED AGAINST - CONDEMNED, OPPRESSED AS STATED HEREIN, MAKING A ECONOMIC PROFIT OF HIS SUBJUGATED BEAST OF BURDEN CONDITIONS OF CONFINEMENT, & ALL THE WHILE PLAINTIFF IS COMPELED TO WAIT TO BE SUBJECTED TO RECIDIVISM BECAUSE OF THEIR DELIBERATE INDIFFERENCE OF REFUSING TO TRAIN - TREAT AND COUNSEL. (SEE MASLOW'S HIERARCHY OF NEEDS). [HTTP://HONOLULU.HAWAII.EDU/INTRANET/COMMITTEES/FACDEVCOM/GUIDEBK/TEACHTIP/MASLOW.](http://honolulu.hawaii.edu/intranet/committees/facdevcom/guidebk/teachtip/maslow) THE 13TH U.S.C.A NEEDS TO BE AMENDED FOR ITS ROLE IN DENYING PLAINTIFFS BOTH U.S.C.A RIGHTS. THE 13TH U.S.C.A GIVES REASON WHY D.C.C. CAN'T NOT AND WILL NOT EVOLVE IN ACCORDANCE TO MODERN STANDARDS AS STATED HEREIN.

#95.) FOR THIS HONORABLE COURT TO TAKE PLAINTIFFS PRO-SE STATUS INTO CONSIDERATION, AND TO UTILIZE THE FORUM OF THE COURT, TO ISSUE ALL NECESSARY ORDERS THAT WILL ALLOW THE PLAINTIFF TO MARSHALL DISCOVERY NEEDED TO MAKE A COMPETENT JUDICIAL RULING, REGARDING ANY AND ALL CONTENTENTS STATED HEREIN.

#96.) FOR AN ORDER TO IMMEDIATELY TRANSFER PLAINTIFF ~~FROM~~ OUT OF THE DELAWARE D.O.C AT D.C.C., IN REGARDS TO HIS FUTURE INCARCERATION, FOR ALL THE REASONS STATED HEREIN.



# 97.) DEFENDANTS HAVE FAILED TO GIVE PLAINTIFF A DISCIPLINARY HEARING WITHIN 3 - 7 AND OR 15 DAYS, ABSENT EXTRAORDINARY CIRCUMSTANCES, FOR ANY DISCIPLINARY ANTI-TRACTIONS AND SANCTIONS ~~WHICH~~ HE RECEIVED AFTER 12/14/07, FOR WHICH VIOLATED HIS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS, AND GIVES REASON WITH ALL DISCIPLINARY REPORTS AND SANCTIONS SHOULD BE REINDED AND EXBURGED.

VIOLATIONS OF 11 DEL C 6535 AND 14TH U.S.C.A.

# 98.) DUE TO THE PLAINTIFF'S LACK OF PROPER ACADEMIC/VOCATIONAL TRAINING, MENTAL HEALTH AND MEDICAL TREATMENT AND COUNSELING, RESULTED IN HIS ~~REMARKABLE~~ ALLEGED CRIMINAL ACTIVITY, THAT GAVE JUDGE PEGGY L. ABLEMAN THE AUTHORITY TO COMMIT THE PLAINTIFF TO THE D.O.C VIA THE D.C.C, WITH AN N.C.C SUPERIOR COURT ORDER FOR THE D.O.C TO MAKE A PROPER ATTEMPT TO CORRECT THE ERRORS OF PLAINTIFFS WAYS, BUT THE DEFENDANTS DELIBERATE INDIFFERENCE DEFINES THAT THEY IGNORED TRYING TO PROPERLY ATTEMPT TO CORRECT THE PLAINTIFFS ERRONEOUS WAYS AND ~~UNWANTED~~ BEHAVIORS, DUE TO THEIR HOLDING HIM CAPTIVE AT LEVEL(S) ABSENT PROPER TRAINING, TREATMENT AND OR COUNSELING (AS STATED HEREIN # 89), WHEN ~~STAND~~ THE AFOREMENTIONED WAS IN THEIR ~~ABILITY~~ ABILITY, DUE TO THEIR PROVIDING OTHER INMATES WITH PROPER TRAINING - TREATMENT AND OR COUNSELING. DEFENDANTS KNOW SAID DENIALS WOULD SUBJECT HIM TO RECIDIVISM UPON HIS RELEASE FROM SUPERVISED CUSTODY. DEFENDANTS DENIED PLAINTIFF DUE TO HIS FILING CIVIL COMPLAINTS.

VIOLATIONS OF 1ST, 8TH AND 14TH U.S.C.A RIGHTS

VIOLATIONS OF 11 DEL C § 6533, 6517, 6502, 6504, 6525, 6524, 6531

#99.) PLAINTIFF DOESNT HAVE TO HAVE A PSYCHOLOGICAL DIAGNOSIS FROM THE MENTAL HEALTH STAFF, TO BE ELIGIBLE FOR THE (SPECIAL NEEDS UNIT), SNU UNIT, IT HAS A PROTECTED LIBERTY INTEREST.

#100.) FOR AN ORDER FOR DEFENDANTS TO PROVIDE THE D.C.C SPECIAL NEEDS UNIT POLICY.

#101.) THE D.C.C IS A BREEDING GROUND FOR HABITUAL OFFENDERS DUE TO CONDITIONS OF CONFINEMENT STATED HEREIN IN #'S 94 ~~AND 95~~, 99 AND 98.

#102.) ON 4/21/08 LT THOMAS SEACORD AND SHU 17'S COUNSELOR, LINDA KEMP ABRUPTLY TOOK ME OFF PROTECTIVE CUSTODY WITHOUT THE PLAINTIFF'S WRITTEN CONCENT; ~~AND WITHOUT~~ AND OR WITHOUT PROVIDING HIM WITH A HEARING TO GIVE HIM WRITTEN NOTICE WHY, A NOTICE OF FACTFINDING RATIONAL, A CHANCE TO APPEAL, DUE TO THEIR BEING INSTRUCTED ~~BY~~ BY DEFENDANTS TO DO SO AGAINST PLAINTIFF'S WILL. VIOLATION OF 11 DEL C 6531, 6517, 6502, 6504 VIOLATION OF 14TH U.S.C.A RIGHT; (SEE MAY 11, 2007 AFFIDAVIT ATTACHED AS EXHIBIT).



CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF ~~DAVE~~ JIMMIE LEWIS  
DOE HEREBY CERTIFY ON THIS 22ND DAY OF APRIL,  
2008, THAT I DID MAIL ONE AND CORRECT COPY  
OF PLEADINGS AND EXHIBITS IN SUPPORT OF MOTION  
FOR PRELIMINARY INJUNCTION #2, PURSUANT TO  
FED R CIV P #65, BY U.S. POSTAL, TO EACH OF  
THE FOLLOWING:

CLERK OF THE COURT (GMS)  
81-5 DISTRICT COURT  
844 N. KING ST, LOCKBOX 18  
WILM, DE 19801

JAME E. DRAKE ESQ  
BALICK & BALICK LLC  
711 KING ST  
WILM, DE 19801

ERIKA Y TROSS  
DEPUTY ATTORNEY GENERAL  
820 N FRENCH ST, 6TH FL  
WILM, DE 19801

DATE: 4/22/08

Jimmie Lewis  
SB #506622  
DCC  
1181 PADDOCK RD  
SMYRNA, DE 19977

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

DELAWARE PSYCHIATRIC CENTER,  
a Facility of and for and on behalf of, the  
Division of Substance Abuse and  
Mental Health, Delaware Health and  
Social Services, State of Delaware,  
Petitioner

v.

JAMES LEWIS

Respondent

AFFIDAVIT

I, Ulrike Greeley, MSN, APRN first duly sworn in accordance with law  
declare as follows:

1. I am the Assistant Director of Nursing at the Delaware Psychiatric Center, the petitioner in the above captioned matter; and

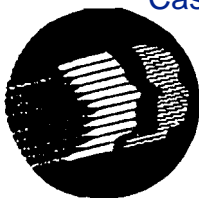
2. The facts alleged in the foregoing Complaint are true and correct to  
the best of my knowledge and belief.

  
HOSPITAL OFFICIAL

SWORN TO AND SUBSCRIBED before me this 7th day of June 2007.

  
NOTARY PUBLIC

Elizabeth Ann Hurley  
Commission Expiration: 10/19/09



**DEPARTMENT OF HEALTH  
AND SOCIAL SERVICES**

**DIVISION OF ALCOHOLISM,  
DRUG ABUSE AND MENTAL HEALTH**

1901 N. DUPONT HIGHWAY  
NEW CASTLE, DELAWARE 19720

6  
9 11800443 14-84-1300 CHH AF S  
UNKNOWN HMONND  
S 31 488 5993 AREA 6  
7736761 ANNIE'S 103706/07

(Addressograph Plate) P4 46422

**CERTIFICATE FOR INVOLUNTARY ADMISSION OF PATIENT TO DELAWARE PSYCHIATRIC  
CENTER AND/OR CERTIFIED TREATMENT FACILITY PURSUANT TO DELAWARE CODE  
CHAPTER 50, TITLE 16**

Title 16, Section 5003, Delaware Code

**5003. Provisional Hospitalization by Psychiatrist's Certification.**

No person shall be involuntarily admitted to the Hospital as a patient except pursuant to the written certification of a psychiatrist that based upon the psychiatrist's examination of such person, such person suffers from a disease or condition which required him to be observed and treated at a mental hospital for his own welfare and which either renders such person unable to make responsible decisions with respect to his hospitalization, or poses a present threat, based upon manifest indications, that such person is likely to commit or suffer serious harm to himself or others or to property, if not given immediate hospital care and treatment. The certificate shall state with particularity the behavior and symptoms upon which the psychiatrist's opinion is based, shall include (where available) the name and address of the spouse or other nearest relative or person of close relationship to the alleged mentally ill person, and shall state that such person is not willing to accept hospital care and treatment on a voluntary basis or that he is incapable or voluntarily consenting to such care and treatment.

**PART 1. (to be completed by certifying psychiatrist)**

The undersigned certifies that he is a physician licensed to practice medicine in the State of Delaware and specializing in the field of psychiatry and he has examined:

James Lewis (Timothy Lewis)  
Name of Patient

Delaware Psy. Center 1901 N. Dupont Hwy New Castle, De. 19720  
Address of Patient

Age 30 Date of Birth 12-25-66 Religion \_\_\_\_\_

Patient's spouse, other nearest relative, or person of close relationship:

\_\_\_\_\_  
(Name) (Relationship)

\_\_\_\_\_  
(Address) (Telephone No.)

As a result of my examination of the patient, I am of the opinion that the patient suffers from a disease or condition which requires him (or her) to be OBSERVED and TREATED at a MENTAL HOSPITAL for his (or her) own welfare.

☒ renders the patient unable to make responsible decisions with respect to his hospitalization

☐ poses a present threat, based upon manifest indication, that the patient is likely to commit or suffer serious harm:

☒ to himself (or herself) ☒ to others ☒ to property

if not given immediate hospital care and treatment.

The behavior and symptoms upon which my opinion is based are as related to me by others (state whom):

CMS (Prison) Psychiatric Staff. It is refusing medications and described as delusional by the Psychiatrist

as observed during my examination of the patient:

Acting as though he is hearing voices.  
Acting as though he is suspicious of others standing behind him  
It reports paranoid beliefs he is being poisoned.

And further:

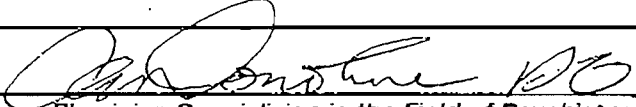
☐ the patient is not willing to accept hospital care and treatment on a voluntary basis.

☒ the patient is incapable of voluntarily consenting to hospital care and treatment.

Name of family physician or psychiatrist Dorohue

Physical conditions which requires immediate or continuous attention:

Hypertension

Signed: , M.D.  
Physician Specializing in the Field of Psychiatry

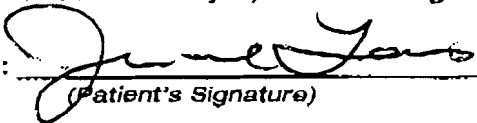
Dorohue, M.D.  
Name Printed

Address: 1901 N. DuPont Highway New Castle, DE 19720

Date: 6/6/07 Time: 11:25 AM. P.M.

**PART 2.** (to be completed by Hospital staff after provisional admission)**NOTIFICATION OF RIGHTS**

I certify that I have this day delivered to a copy of 16 Del. C., Sec. 5161, Rights of Patients in Hospitals for the Mentally Ill, and other rights set forth in Title 16, Delaware Code.

Received:   
(Patient's Signature)

Name: Bobby Benjamin

Title: Social Worker

OR

Patient refused to sign \_\_\_\_\_

Date: June 6, 2007

**CERTIFICATION OF MENTAL ILLNESS AND NEED FOR TREATMENT (to be completed only when provisional admission was made on the certificate of a psychiatrist not employed by DELAWARE PSYCHIATRIC CENTER)**

I have examined the Psychiatrist's Certificate for Involuntary Admission of Patient to Delaware Psychiatric Center in the case of

\_\_\_\_\_  
(Name of Patient)

and have personally conducted a psychiatric examination of the patient; the behaviors and symptoms observed during my examination of the patient are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In my opinion, the patient:

**IS/IS NOT** a mentally ill person requiring hospital confinement.  
(Strike One)

**DOES/DOES NOT** require treatment pending judicial proceedings under provisions of 16 Del. C. Ch. 50. (Strike One)

**IS/IS NOT** capable of waiving procedural right including retention of counsel, retention of psychiatrist or other qualified medical expert to testify in his behalf, and the hearing in Court.

\_\_\_\_\_  
Signature of Examining Psychiatrist

\_\_\_\_\_  
Date

Based upon financial information obtained from

Name of Informant

Relationship

I am of the opinion that

Patient's Name

☐ Can afford to retain legal counsel.

☒ Cannot afford to retain legal counsel.

☐ Can afford to retain a psychiatrist or other qualified medical expert.

☒ Cannot afford to retain a psychiatrist or other qualified medical expert.

Name of Guarantor (if private legal, medical or psychiatric representation is to be retained)

Street

City

State

Zip Code

Telephone

Being unable to afford private representation, the patient respectfully prays the Court to appoint and assume financial responsibility for the services of

☒ Legal Counsel

☒ Psychiatrist or other qualified medical expert

Mary Sannell

Financial Resources Examiner

6/7/07

Date

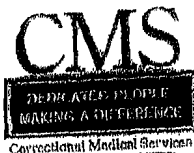
APPROVED:

Mike Cappelley

Hospital Official

6/07/2007

Date



## Mental Health Treatment Plan

### I. Problems (check all that apply):

- ☐ Depressive Ideation  
☐ Suicidal Ideation  
☒ Agitation  
☒ Racing thoughts  
☒ Delusions  
☒ Hallucinations

- ☒ Sleep disturbance  
☐ Anger management  
☐ Limited cognitive abilities  
☐ Limited coping skills  
☐ Substance abuse/dependence

- ☐ Lack of support  
☐ Obsessions/compulsions  
☒ Excessive worry  
☐ Other:

*Needed to know he belongs  
as part of community*

### Current Diagnosis (Include substance disorders in Axis I):

Axis I: *Schizophrenia*  
 Axis II: *Depressed*  
 Axis III: *HPT*  
 Axis IV: *Overweight*  
 Axis V: *65*

### II. Strengths (check all that apply):

- ☐ Able to communicate effectively  
☐ Strong support system  
☐ Adequate educational background  
☐ Adequate vocational skills

- ☐ Good insight  
☐ Good judgment  
☐ Willingness to participate in treatment  
☐ Other:

III. Long Term Goal: Reduce or eliminate problems noted above so that they do not impair inmate's ability functioning.

### IV. Short Term Treatment Objectives:

- ☒ Participate in psycho education regarding mental illness, signs, symptoms, and treatment  
☐ Develop coping techniques for managing:  
☒ Depressive Ideation      ☒ Anxiety      ☒ Anger/Frustration  
☐ Cognitive Limitations      ☒ Situational Stress      ☒ Fluctuating Feelings

- ☐ Refer to/Participate in substance abuse treatment  
☐ Report adequate sleeping/eating patterns  
☒ Report the reduction/absence of AH/VH  
☐ Participate in at least one productive activity daily  
☐ Participate in Interactive journaling/engage in journaling  
☐ Other:

- ☐ Participate in sex offender issues group  
☐ Take psychotropic medications as prescribed  
☐ Demonstrate organized thinking reality test  
☐ Participate in transition/discharge planning  
☒ Participate in bibliotherapy

### V. Treatment Modalities:

- ☐ Individual treatment by clinician at least every thirty days  
☐ Evaluation and treatment by psychiatrist at least every 90 days  
☐ Medication monitoring by nursing daily

- ☐ Group treatment at least once every thirty days  
☐ Independent interactive journaling  
☐ Other:

*Needed to know he  
belongs in the community*

Clinician Signature: <i>Cheryl Allen DMS</i>	Date: <i>3/13/07</i>
Title: <i>Cheryl Allen</i>	Time: <i>1513</i>
Inmate Signature: <i>James L. Lewis</i>	Date: <i>3/13/07</i>
Inmate Number: <i>506622</i>	Institution: <i>DCC</i>

SATURDAY, JULY 5, 2003

**NEWS BRIEFS****Three injured in jump  
from burning boat**

BRICK: Three people suffered minor burns and two others escaped injury when all five jumped from a boat that caught fire in the Barnegat Bay near the Metedeconk River yesterday, Brick Township police said.

The boat was about 30 yards out from an Ocean County marina about 4:30 p.m. when flames engulfed the craft, possibly the result of an explosion, said Sgt. Craig Lash.

All five boaters were rescued, the sergeant said. The boat, which was gutted, drifted to shore and beached itself.

**Public is asked to help  
find missing Newark man**

NEWARK: Police are seeking the public's assistance in finding a city resident who suffers from schizophrenia and a bipolar disorder.

Jimmie Lewis Jr., 36, talked last with his mother by telephone on May 19, but wasn't reported missing until June 25, said Lt. Derek Glenn, a city police spokesman.

**LEWIS**

He said Lewis, described as manic depressive, is 6 feet 2 inches, weighs 230 pounds, has brown eyes, black hair and a dark skin.

Glenn said anyone with information should contact police at (973) 733-5172.



## WILMINGTON DEPARTMENT OF POLICE

EXHIBIT #

## Detainee Assessment / Property Receipt

Detainee's Name: Lewis, Jannine Case #: 30-03-  
Last, First Middle

Charges: Carjacking, Theft Arresting Officer: E Godwin

Additional Officer: J Santana

Detainee's Physical Condition: OK ☒ Other ☐

Explain: (Body deformities/Bruises/Sutures): \_\_\_\_\_

Medication: Yes ☒ No ☐ Type: PSYCHOTROPIC  
THORAZINE, DEPAKOTE, VISTARIL, RISPERDAL

Unusual Behavior:

Explain: DETAINEE STATED THOUGHTS OF SUICIDE,  
TRANSFERRED TO M.P.C.J.F INFIRMARY

## Detainee's Property

## Seized as Evidence

Currency/Coin U.S. Currency: 7.00  
 U.S. Coin: 2.26  
 Total: 9.26

U.S. Currency: \_\_\_\_\_  
 U.S. Coin: \_\_\_\_\_  
 Total: \_\_\_\_\_

(Have detainee initial next to totals)

Clothing: BELT, WALLET WITH S.S CARD, LICENCES (NT).

Jewelry: NECKLESS WITH EGYPTIAN CROSS, DEVIL HORNS AND  
CAT EYE CONTACT LENSES

Miscellaneous: 3 SETS OF KEYS (ONE SET VICTIMS),  
PSYCH TREATMENT PLAN, AIRTRAK TRAIN TICKET

Officer Receiving Property

05/26/03  
 Date

0621 hours  
 Time

Transporting Officer Ep 2 RB Date \_\_\_\_\_

\_\_\_\_\_ hours  
 Time

I, \_\_\_\_\_, have received the above property from the Wilmington Department of Police, which was taken from me on the above date. \_\_\_\_\_ hours.

Date

Time

Name	Phase	SNU Phase Report 8/28/06-9/3/06					
Brown, Fred	2	Day Rec Only, No Evening Rec					
Bryant Waples	2	Day Rec Only, No Evening Rec					
Martin, Micheal	2	Day Rec Only, No Evening Rec					
Norman Banks	<del>2</del>	Day Rec Only, No Evening Rec					
Dale Stevenson	3						
Stanley King	4						
Wayne Thomas	4						
Brooks, Darren	4						
Bryan Selhorst	4						
Chapman, Tremaine	4						
Darius Johnson	4						
Dennis, Chris.	4						
Dixon, Kevin	4						
<b>Dolan, Michael</b>	4	<b>Community Leader News</b>					
Drozdowski, Benard	4						
Flamer, Jerel	4						
Forrester, Chris	4						
Frank, Richard	4						
Glaze, Billy	4						
Godfrey, Clarence	4						
Hull, Robert	4						
<b>Jimmy Lewis</b>	4	<b>Activity Leader</b>					
Lamar Trower	4						
Leonard Baylis	4						
Mathews, Willis	4						
Michael Chicosky	4						
Miller, Tyrone	4						
Minor, Samuel	4						
Murray, William	4						
Norris Durham	4						
Novello, William	4						
Quirico, Hector	4						
Roy Campbell	4						
Scott, Ronald	4						
Sheats, John	4						
<b>Ternahan, John</b>	4	<b>Community Leader/Environmental</b>					
Williams, Willie	4						
Wright, Floyd	4						
Zickgraf, Steven	4						

	Phase	SNU Phase Report 8/7/06-8/13/06						
Selhorst	2	Day Rec Only, No Evening Rec						
Waples	2	Day Rec Only, No Evening Rec						
Crosby	2	Day Rec Only, No Evening Rec						
artin, Micheal	2	Day Rec Only, No Evening Rec						
Norman Banks	2	Day Rec Only, No Evening Rec						
Lamar Trower	3							
Novello, William	4							
Sheats, John	4							
Brooks, Darren	4							
Brown, Fred	4							
Chapman, Tremaine	4							
Darius Johnson	4							
Dennis, Chris.	4							
Dixon, Kevin	4							
<b>Dolan, Michael</b>	4	<b>Community Leader News</b>						
Drozdowski, Benard	4							
Flamer, Jerel	4							
Forrester, Chris	4							
Frank, Richard	4							
Glaze, Billy	4							
Godfrey, Clarence	4							
Hull, Robert	4							
<b>Jimmy Lewis</b>	4	<b>Activity Leader</b>						
Leonard Baylis	4							
Mathews, Willis	4							
Michael Chicosky	4							
Miller, Tyrone	4							
Minor, Samuel	4							
Murray, William	4							
Norris Durham	4							
Quirico, Hector	4							
Roy Campbell	4							
Scott, Ronald	4							
<b>Ternahan, John</b>	4	<b>Community Leader/Environmental</b>						
Williams, Willie	4							
Wright, Floyd	4							
Zickgraf, Steven	4							

Name	Phase	23-D - SNU Phase Report 4/9/07 - 4/15/07
Stevenson Dale	<del>2</del>	
Bridges, Travis	3	
Brophy Robert	3	
Chicosky Michael	3	
Godfrey Clarence	3	
Waples Bryan	3	
Baylis Leonard	4	
Blackburn John	4	
Brooks Darren	4	
Campbell Roy	4	
Chapman Tremayne	4	
Crosby, David	4	
Dennis Christopher	4	
<b>Dickerson Louis</b>	4	<b>Environmental Leader</b>
Dixon Kevin	4	
Dolan Michael	4	
Durham Norris	4	
Flamer Jerel	4	
Glaze Billy	4	
Johnson Darius	4	
Miller Tyrone	4	
Miner Clayton	4	
Mitchell Jesse	4	
Murray William	4	
Nieves Luis	4	
Novello William	4	
<b>Pierce Lyle</b>	4	<b>Activity Leader</b>
Scott Ronald	4	
<b>Williams Dana</b>	4	<b>Community Reporter/News</b>
Williams Willie	4	
Zickgraf Steven	4	

23-D 10  
Juv

<b>23D CLEANUP SCHEDULE</b>		<b>MARCH 07,</b> Environmental Leader for MARCH John Blackburn
<b>DATE</b>	<b>UPPER</b>	<b>LOWER</b>
1	WILLIAM NOVELLO	LYLE PIERCE
2	LEONARD BAYLIS	JESSIE MITCHELL
3	LOUIS DICKERSON	RONALD SCOTT
4	JEREL FLAMER	MICHAEL CHICOSKY
5	MICHAEL DOLAN	ROY CAMPBELL
6	CLARENCE GODFREY	DALE STEVENSON
7	DARREN BROOKS	WILLIE WILLIAMS
8	WILLIAM MURRAY	BILLY GLAZE
9	DARIUS JOHNSON	TREMAYNE CHAPMAN
10	MICHAEL DOLAN	NORRIS DURHAM
11	WILLIAM NOVELLO	BRYANT WAPLES
12	CLAYTON MINEAR	LUIS NIEVES
13	JIMMY LEWIS	DANA WILLIAMS
14	TYRONE MILLER	CHRISTOPHER DENNIS
15	KEVIN DIXON	STEVEN ZICKGRAFT
16	WILLIAM NOVELLO	LYLE PIERCE
17	LEONARD BAYLIS	JESSIE MITCHELL
18	LOUIS DICKERSON	RONALD SCOTT
19	JEREL FLAMER	MICHAEL CHICOSKY
20	JIMMY LEWIS	ROY CAMPBELL
21	CLARENCE GODFREY	DALE STEVENSON
22	DARREN BROOKS	WILLIE WILLIAMS
23	WILLIAM MURRAY	BILLY GLAZE
24	DARIUS JOHNSON	TREMAYNE CHAPMAN
25	MICHAEL DOLAN	NORRIS DURHAM
26	LOUIS DICKERSON	BRYANT WAPLES
27	CLAYTON MINEAR	LUIS NIEVES
28	JIMMY LEWIS	DANA WILLIAMS
29	TYRONE MILLER	CHRISTOPHER DENNIS
30	KEVIN DIXON	<del>STEVEN ZICKGRAFT</del> <i>Flamer</i>
31	WILLIAM NOVELLO	LYLE PIERCE

Participating in cleanup is considered a part of the Special Needs Unit Program. Each person is a part of the community and therefore should do their part to help keep the environment clean.

\*If you choose not to help when it is your turn on the schedule, you will lose points, which will most likely affect your phase level. Acceptable excuses include being out for an appointment, visit, etc., or a valid sick call slip being submitted. Security staff will be given the schedule to know who to allow out during cleanup time. Staff will inform them of any substitutions for the day.

\*The Environmental Leader changes each month. They are to come out daily with those listed above to participate and lead the cleanup process.



**PUBLIC DEFENDER OF THE STATE OF DELAWARE  
900 N. KING STREET, SECOND FLOOR  
WILMINGTON, DELAWARE 19801**

LAWRENCE M. SULLIVAN  
PUBLIC DEFENDER

BRIAN J. BARTLEY  
CHIEF DEPUTY

DAWN M. WILLIAMS  
ASSISTANT PUBLIC DEFENDER

TELEPHONE (302) 577-6025 x 3011

March 3, 2008

The Honorable Alex J. Smalls  
Chief Judge  
Court of Common Pleas  
New Castle County Courthouse  
500 N. King Street  
Wilmington, DE 19801

**Re: State of Delaware v. Jimmy Lewis  
Case No. 0801012699**

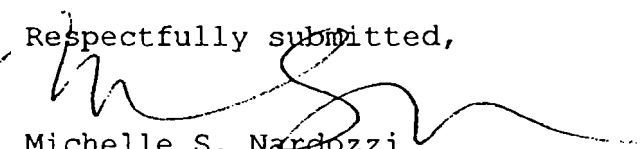
Dear Chief Judge Smalls:

Our office represents Mr. Lewis on the above case currently pending in the Court of Common Pleas. It was determined by Judge Welch, in agreement with myself and the State, that Mr. Lewis was in need of a psychiatric evaluation. He is presently being held at Delaware Correctional Center and the staff at DCC concur that he has mental health issues.

I am requesting Your Honor sign the enclosed Order for a Competency Evaluation at the Delaware Psychiatric Center for Mr. Lewis.

I am available if Your Honor has any questions or concerns regarding this request.

Respectfully submitted,

  
Michelle S. Nardoizzi  
Assistant Public Defender

MSN/mcg

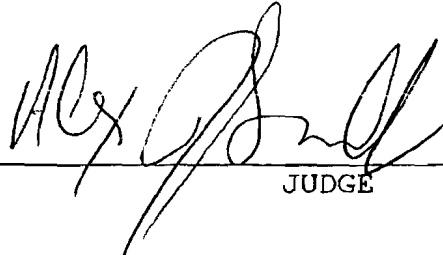
IN THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

STATE OF DELAWARE	)	
	)	
v.	)	
	)	Case No. 0801012699
	)	
JIMMY LEWIS	)	
	)	
Defendant	)	

O R D E R

AND NOW, TO WIT, this 5<sup>th</sup> day of March A.D.,  
2008, the foregoing having been heard and considered, it is  
hereby;

ORDERED that the defendant, Jimmy Lewis, be transferred  
from the Delaware Correctional Center to the Delaware  
Psychiatric Center for a psychiatric and competency evaluation  
to determine competency and obtain treatment for his own well-  
being.

  
\_\_\_\_\_  
JUDGE

Date: March 3, 2008

COURT OF COMMON PLEAS CRIMINAL DOCKET  
( as of 03/19/2008 )

Page 1

State of Delaware v. JIMMY LEWIS  
 State's Atty: , Esq.  
 Defense Atty: DEFENDER PUBLIC , Esq.

DOB: 12/25/1966  
 AKA: EMMANUEL E ELDER  
 EMMANUEL E ELDER

Assigned Judge:

## Charges:

Count	DUC#	Crim.Action#	Description	Dispo.	Dispo. Date
001	0801012699	MN08013012	DISORD CONDUCT		
002	0801012699	MN08013013	ASSAULT 3RD		
003	0801012699	MN08013014	ASSAULT 3RD		

No.	Event Date	Event	Judge
	01/14/2008	CASE FILED ON 01/14/2008; ARREST DATE 01/11/2008 ARRAIGNMENT SCHEDULED FOR SECURED BAIL-HELD	
		MN08013012 DE111301001A DISORD CONDUCT	1,500.00
		MN08013013 DE1106110001 ASSAULT 3RD	
		MN08013014 DE1106110001 ASSAULT 3RD	
	01/14/2008	ARRAIGNMENT SCHEDULED FOR 01/15/2008 AT 01:35 PM SECURED BAIL-HELD	1,500.00
	01/15/2008	DEFENDANT PLED NOT GUILTY AND DEMANDED JURY TRIAL. SECURED BAIL-HELD	1,500.00
	01/15/2008	JURY TRIAL SCHEDULED FOR 05/15/2008 AT 08:30 AM	
	02/27/2008	MOTION FOR PSYCHIATRIC EVALUATION SCHEDULED 3/14/2008 AT 08:30 AM MOTION TO COMPEL DISCOVERY	
	03/14/2008	MOTION WITHDRAWN; REQUESTED BY PUBLIC DEFENDER. DISCOVERY RECEIVED.	WELCH JOHN K.

\*\*\* END OF DOCKET LISTING AS OF 03/19/2008 \*\*\*  
 PRINTED BY: CCPKGOO



COURT OF COMMON PLEAS CRIMINAL DOCKET  
( as of 02/27/2008 )

Page 1

State of Delaware v. JIMMY LEWIS  
 State's Atty: , Esq.  
 Defense Atty: DEFENDER PUBLIC , Esq.

DOB: 12/25/1966  
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 EMMANUEL E ELDER

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	01/14/2008	ARRAIGNMENT SCHEDULED FOR 01/15/2008 AT 01:35 PM SECURED BAIL-HELD 1,500.00	
	01/15/2008	DEFENDANT PLED NOT GUILTY AND DEMANDED JURY TRIAL. SECURED BAIL-HELD 1,500.00	
	01/15/2008	JURY TRIAL SCHEDULED FOR 05/15/2008 AT 08:30 AM	

\*\*\* END OF DOCKET LISTING AS OF 02/27/2008 \*\*\*  
 PRINTED BY: CCPKGOO

Defendant Name:

AKA: <u>Lewis, Jimmy</u>		Judge: <u>PLA</u>
ID Number: <u>D305616966</u>		DOB: <del>12-05-44</del>
Criminal Action Number:	Charge: <u>Theft 1000 or &gt;</u>	
Prefix <u>N</u> Number <u>D3-06-0176</u> Suffix		
FINANCIAL		
<input type="checkbox"/> Pay Costs	<input type="checkbox"/> Costs Suspended	<input type="checkbox"/> Pay Fine \$ <input type="checkbox"/> 15% <input type="checkbox"/> 18% <input type="checkbox"/> Fine Suspended:
IMPRISONMENT/PROBATION		
<input type="checkbox"/> In Violation of Probation/Contempt <input type="checkbox"/> Revoked <input type="checkbox"/> Continued <input type="checkbox"/> Modified <input type="checkbox"/> Discharged		
Effective: Be imprisoned for <u>2</u> years <u>  </u> months <u>  </u> days At Level <u>5</u>		Beginning: <u>                    </u> Ending: <u>                    </u> Eff Date: <u>                    </u>
Level 5 Treatment: <u>                    </u>		
<input type="checkbox"/> Min. Mandatory Time: <u>                    </u> Title/Sec: <u>                    </u>		<input type="checkbox"/> Credit for <u>                    </u> <input type="checkbox"/> Time Served
<input type="checkbox"/> Suspended Immediately		
<input checked="" type="checkbox"/> Susp After <u>1y</u> <input type="checkbox"/> time served for <u>1y</u> at Level <u>4</u> <input checked="" type="checkbox"/> Plummer/Home Conf/Day Reporting <input checked="" type="checkbox"/> Susp After <u>6m</u> <input type="checkbox"/> time served for <u>6m</u> at Level <u>3</u> <input type="checkbox"/> Plummer/Home Conf/Day Reporting <input type="checkbox"/> Susp After <u>                    </u> <input type="checkbox"/> time served for <u>                    </u> at Level <u>                    </u> <input type="checkbox"/> Plummer/Home Conf/Day Reporting		
Followed By: <u>                    </u> at Level <u>                    </u> Balance at Level <u>                    </u>		
Probation for <u>                    </u> at Level <u>                    </u> Suspended after <u>                    </u> for <u>                    </u> at Level <u>                    </u>		
<input type="checkbox"/> Consecutive to: <u>                    </u> <input checked="" type="checkbox"/> Concurrent with: <u>                    </u>		
<input type="checkbox"/> Level 4 Sentence, Hold at: (circle one) <u>3</u> <u>5</u> <input type="checkbox"/> Guilty but Mentally Ill, to be confined at Delaware Psychiatric Center (Delaware State Hospital) until competent.		
RESTITUTION	TO: <u>                    </u>	Amount: <u>                    </u>
<input type="checkbox"/> Determined by Presentence Memo	Address: <u>                    </u>	
CONDITIONS	<input type="checkbox"/> Pay costs, fines, restitution during <u>                    </u> <input type="checkbox"/> Probationary period <input type="checkbox"/> Previously Ordered	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Work Referral    <input type="checkbox"/> TASC Supervision/Evaluation  <input type="checkbox"/> Pay Costs of Supervision    <input type="checkbox"/> One Time Fee    <input type="checkbox"/> Determined by Probation  <input type="checkbox"/> Community Service: <u>                    </u> Hours    <input type="checkbox"/> Victim    <input type="checkbox"/> Codefendant  <input type="checkbox"/> No Contact with <u>                    </u>  <input type="checkbox"/> No Driving for <u>                    </u>  <input type="checkbox"/> Subst Abuse Eval    <input type="checkbox"/> Alcohol Treatment    <input type="checkbox"/> Mental Health  <input type="checkbox"/> Residential Drug/Alc    <input type="checkbox"/> Job Training    <input type="checkbox"/> Obtain GED  <input type="checkbox"/> Outpatient Drug/Alc    <input type="checkbox"/> Fully Employed    <input type="checkbox"/> Random Urinalysis  <input type="checkbox"/> 4177 DUI Program    <input type="checkbox"/> Zero Tolerance  <input type="checkbox"/> Follow Original Conditions of Probation           </div> <div style="width: 45%;"> <input type="checkbox"/> SEX OFFENDER: Registration/Community Notification Required. Level 1-4 Sentence: Super Ct to provide notice and register def. Level 5 Sentence: Dept of Correction to provide notice and register def.           </div> </div>		
<input checked="" type="checkbox"/> Nolle Prosses entered on remaining charges <input checked="" type="checkbox"/> Nolle Prosses entered on Criminal Action Number(s): <u>                    </u>		<div style="border: 1px solid black; padding: 5px; text-align: center;"> <input checked="" type="checkbox"/> COMMITMENT          RELEASE          DEFERRED          COMMITMENT       </div>
		PR \$ <u>                    </u>
		SH \$ <u>                    </u>
		TOTAL \$ <u>                    </u>

DEF. ATTY:

DAG:

CLERK:

CT. REP:

Edinger

Robertson

Ferry

Coale

AKA: <u>LEWIS Jimmy</u>		Judge: <u>PLA</u>
ID Number: <u>0305016966</u>		DOB: <u>[REDACTED]</u>
Criminal Action Number:	Charge: <u>Carjacking 2nd</u>	
Prefix <u>IN</u> Number <u>03-06-0175</u> Suffix		
FINANCIAL		
<input type="checkbox"/> Pay Costs	<input type="checkbox"/> Costs Suspended	<input type="checkbox"/> Pay Fine \$ <input type="checkbox"/> 15% <input type="checkbox"/> 18% <input type="checkbox"/> Fine Suspended:
IMPRISONMENT/PROBATION		
<input type="checkbox"/> In Violation of Probation/Contempt <input type="checkbox"/> Revoked <input type="checkbox"/> Continued <input type="checkbox"/> Modified <input type="checkbox"/> Discharged		
Effective: <u>5</u> years <u>5</u> months <u>5</u> days At Level <u>5</u>		Beginning: _____
Be imprisoned for <u>5</u> years <u>5</u> months <u>5</u> days At Level <u>5</u>		Ending: _____
Level 5 Treatment: _____		Eff Date: <u>5/26/03</u>
<input type="checkbox"/> Min. Mandatory Time: _____ Title/Sec: _____	<input type="checkbox"/> Credit for _____ <input type="checkbox"/> Time Served	
<input type="checkbox"/> Suspended Immediately		
<input type="checkbox"/> Susp After _____ <input type="checkbox"/> time served for _____ at Level _____ <input type="checkbox"/> Plummer/Home Conf/Day Reporting		
<input type="checkbox"/> Susp After _____ <input type="checkbox"/> time served for _____ at Level _____ <input type="checkbox"/> Plummer/Home Conf/Day Reporting		
<input type="checkbox"/> Susp After _____ <input type="checkbox"/> time served for _____ at Level _____ <input type="checkbox"/> Plummer/Home Conf/Day Reporting		
Followed By: _____ at Level _____ Balance at Level _____		
Probation for _____ at Level _____ Suspended after _____ for _____ at Level _____		
<input type="checkbox"/> Consecutive to:		<input checked="" type="checkbox"/> Concurrent with:
<input type="checkbox"/> Level 4 Sentence, Hold at: (circle one) <u>3</u> <u>5</u>		<input type="checkbox"/> Guilty but Mentally Ill, to be confined at Delaware Psychiatric Center (Delaware State Hospital) until competent.
RESTITUTION	TO:	Amount:
<input type="checkbox"/> Determined by Presentence Memo	Address:	
CONDITIONS	<input type="checkbox"/> Pay costs, fines, restitution during _____ <input type="checkbox"/> Probationary period <input type="checkbox"/> Previously Ordered	
<input type="checkbox"/> Work Referral <input type="checkbox"/> TASC Supervision/Evaluation <input type="checkbox"/> Pay Costs of Supervision <input type="checkbox"/> One Time Fee <input type="checkbox"/> Determined by Probation <input type="checkbox"/> Community Service: _____ Hours <input checked="" type="checkbox"/> No Contact with <u>Patrick Geer</u> <input type="checkbox"/> Victim <input type="checkbox"/> Codefendant <input type="checkbox"/> No Driving for _____ <input checked="" type="checkbox"/> Subst Abuse Eval <input type="checkbox"/> Alcohol Treatment <input checked="" type="checkbox"/> Mental Health <input type="checkbox"/> Residential Drug/Alc <input type="checkbox"/> Job Training <input type="checkbox"/> Obtain GED <input type="checkbox"/> Outpatient Drug/Alc <input type="checkbox"/> Fully Employed <input type="checkbox"/> Random Urinalysis <input type="checkbox"/> 4177 DUI Program <input type="checkbox"/> Zero Tolerance <input type="checkbox"/> Follow Original Conditions of Probation <u>Anger Management</u>		<input type="checkbox"/> SEX OFFENDER: (circle one) Registration/Community Notification Required. Level 1-4 Sentence: Super Ct to provide notice and register def. Level 5 Sentence: Dept of Correction to provide notice and register def.  <input checked="" type="checkbox"/> COMMITMENT  RELEASE  DEFERRED COMMITMENT
<input checked="" type="checkbox"/> Nolle Prosses entered on remaining charges		PR \$
<input checked="" type="checkbox"/> Nolle Prosses entered on Criminal Action Number(s):		SH \$
		TOTAL \$

DEF. ATTY:

DAG:

CLERK:

CT. REP:

Edinger

Robertson

Ferry

Coale

Defendant Name:

AKA:

Lewis, Jimmy

Judge:

PLA

ID Number:

6365016966

DOB:

Criminal Action Number:

Charge:

Prefix

Number

03-06-0177

Suffix

Resist Arrest

## FINANCIAL

☐ Pay Costs☐ Costs Suspended☐ Pay Fine \$☐ 15%☐ 18%☐ Fine Suspended:

## IMPRISONMENT/PROBATION

☐ In Violation of Probation/Contempt☐ Revoked☐ Continued☐ Modified☐ Discharged

Effective:

Be imprisoned for 1 years months days At Level 5

Beginning:

Ending:

Level 5 Treatment:

Eff Date:

☐ Min. Mandatory Time:

Title/Sec:

☐ Credit for☐ Time Served☒ Suspended Immediately☐ Susp After☐ time served for

14

at Level

2

☐ Plummer/Home Conf/Day Reporting☐ Susp After☐ time served for

at Level

☐ Plummer/Home Conf/Day Reporting☐ Susp After☐ time served for

at Level

☐ Plummer/Home Conf/Day Reporting

Followed By:

at Level

Balance at Level

Probation for

at Level

Suspended after

for

at Level

☐ Consecutive to:☒ Concurrent with:☐ Level 4 Sentence, Hold at;  
(circle one) 3 5☐ Guilty but Mentally Ill, to be confined at Delaware Psychiatric Center (Delaware State Hospital) until competent.

## RESTITUTION

TO:

Amount:

☐Determined by  
Presentence Memo

Address:

## CONDITIONS

☐ Pay costs, fines, restitution during☐ Probationary period☐ Previously Ordered☐ Work Referral☐ TASC Supervision/Evaluation☐ Pay Costs of Supervision☐ One Time Fee☐ Determined by Probation☐ Community Service:

Hours

☐ No Contact with☐ Victim☐ Codefendant☐ No Driving for☐ Subst Abuse Eval☐ Alcohol Treatment☐ Mental Health☐ Residential Drug/Alc☐ Job Training☐ Obtain GED☐ Outpatient Drug/Alc☐ Fully Employed☐ Random Urinalysis☐ 4177 DUI Program☐ Zero Tolerance☐ Follow Original Conditions of Probation

☐ SEX OFFENDER:  
Registration/Community Notification  
Required. Level 1-4  
Sentence: Super Ct  
to provide notice  
and register deft.  
Level 5 Sentence:  
Dept of Correction  
to provide notice  
and register deft.

(circle one)

COMMITMENT

RELEASE

DEFERRED  
COMMITMENT☒ Nolle Prosses entered on remaining charges☒ Nolle Prosses entered on Criminal Action Number(s):

PR \$

SH \$

TOTAL \$

DEPUTY:

Edinger

DAG:

Robertson

CLERK:

Ferry

CT. REP:

Coale

STATE OF DELAWARE

VS.

JIMMY LEWIS

Alias: No Aliases

DOB: [REDACTED]  
SBI: 00506622

CASE NUMBER:  
0305016966

CRIMINAL ACTION NUMBER:  
IN03-06-0175  
CARJACKING 2ND(F)  
IN03-06-0176  
THEFT \$1000 OR>(F)  
IN03-06-0177  
RESIST ARREST(M)

SENTENCE ORDER

NOW THIS 11TH DAY OF FEBRUARY, 2005, IT IS THE ORDER OF  
THE COURT THAT:

The defendant is adjudged guilty of the offense(s) charged.  
The defendant is to pay the costs of prosecution and all  
statutory surcharges.

AS TO IN03-06-0175- : TIS  
CARJACKING 2ND

Effective May 26, 2003 the defendant is sentenced  
as follows:

- The defendant is placed in the custody of the Department  
of Correction for 5 year(s) at supervision level 5

Probation is concurrent to any probation now serving.

AS TO IN03-06-0176- : TIS  
THEFT \$1000 OR>

- The defendant is placed in the custody of the Department  
of Correction for 2 year(s) at supervision level 5

- Suspended after serving 1 year(s) at supervision level 5

\*\*APPROVED ORDER\*\*      1      November 9, 2007 10:11

VS.

JIMMY LEWIS

DOB: 12/25/1966

SBI: 00506622

- For 1 year(s) supervision level 4 PLUMMER CENTER
- Suspended after serving 6 month(s) at supervision level 4 PLUMMER CENTER
- \*
  - For 6 month(s) supervision level 3
  - Hold at supervision level 5
  - Until space is available at supervision level 4 PLUMMER CENTER

Probation is concurrent to any probation now serving.

**AS TO IN03-06-0177- : TIS  
RESIST ARREST**

- The defendant is placed in the custody of the Department of Correction for 1 year(s) at supervision level 5

- Suspended for 1 year(s) at supervision level 2

Probation is concurrent to any probation now serving.

STATE OF DELAWARE

VS.

JIMMY LEWIS

DOB: 12/25/1966

SBI: 00506622

CASE NUMBER:

0305016966

The defendant shall pay any monetary assessments ordered during the period of probation pursuant to a schedule of payments which the probation officer will establish.

Have no contact with Patrick Geer

Defendant shall successfully complete anger management, counseling, treatment program.

The defendant shall undergo mental health evaluation and follow recommendation for counseling and treatment.

NOTES

Aggravating Circumstances - 2 or more violent felonies -  
Lack of Remorse

---

JUDGE PEGGY L ABLEMAN

\*\*APPROVED ORDER\*\*

3

November 9, 2007 10:11

---

VS.

JIMMY LEWIS

DOB: 12/25/1966

SBI: 00506622

CASE NUMBER:  
0305016966

AGGRAVATING

LACK OF REMORSE

\*\*APPROVED ORDER\*\*

5

November 9, 2007 10:11



VS.  
JIMMY LEWIS  
DOB: 12/25/1966  
SBI: 00506622

CASE NUMBER:  
0305016966

SENTENCE CONTINUED:

TOTAL DRUG DIVERSION FEE ORDERED

TOTAL CIVIL PENALTY ORDERED

TOTAL DRUG REHAB. TREAT. ED. ORDERED

TOTAL EXTRADITION ORDERED

TOTAL FINE AMOUNT ORDERED

FORENSIC FINE ORDERED

RESTITUTION ORDERED

SHERIFF, NCCO ORDERED

SHERIFF, KENT ORDERED

SHERIFF, SUSSEX ORDERED

PUBLIC DEF, FEE ORDERED 50.00

PROSECUTION FEE ORDERED 100.00

VICTIM'S COM ORDERED

VIDEOPHONE FEE ORDERED 3.00

---

TOTAL 153.00

\*\*APPROVED ORDER\*\*

4

November 9, 2007 10:11

Delaware Psychiatric Center  
Patient Preference List

LEWIS, JIMMY

UNK M AF U  
EDWIN PLACE NEWARK NJ 07112  
MELBA JEAN LEWIS MOTH AREA 5  
973-481-5028 05/21/2004

Description		++	+	-	Comments	Description		++	+	-	Comments
<b>Starch</b>						<b>Vegetables</b>					
	Potatoes		✓				Beets		✓		
	Pasta		✓				Broccoli		✓		
	Rice		✓				Cabbage		✓		
							Carrots		✓		
							Cauliflower		✓		
<b>Meat/Protein</b>						<b>Other</b>					
	Eggs		✓				Corn		✓		
	Beef		✓				Cucumbers		✓		
	Chicken		✓				Green Beans		✓		
	Turkey		✓				Lima Beans		✓		
	Pork			✓			Peas		✓		
	Ham			✓			Salad		✓		
	Veal		✓				Spinach		✓		
	Fish		✓				Tomatoes		✓		
	Seafood		✓				Zucchini		✓		
	Tuna		✓				Tomato products		✓		
	Cottage cheese		✓								
	Cheese		✓								
	Peanut Butter		✓								
	Bacon			✓							
	Sausage			✓							
<b>Breakfast</b>						<b>Key</b>					
	French toast		✓				Favorite		Likes		Dislikes
	Pancakes		✓								
	Cereal		✓		cold						
Hot Beverage Preference						Lunch					
Milk Preference						Dinner					
Bread Preference											
Juice Preference											
Cereal Preference											
Comments											
pt. eats cheese						CONFIDENTIAL - INFORMATION FOR PROFESSIONAL USE ONLY					
Does patient have any ethnic or religious preferences?						For professional use by authorized persons only -- not to be duplicated or released for others					
no pork, bread											
Does patient have food allergies?											
milk											

Sign N. Andersen, RLODate: 5.24.0410/00  
NA

DCC Delaware Correctional Center  
 Smyrna Landing Road  
 SMYRNA DE, 19977  
 Phone No. 302-653-9261

Date: 02/22/2008

## GRIEVANCE REPORT

### OFFENDER GRIEVANCE INFORMATION

Offender Name : LEWIS, JIMMY	SBI# : 00506622	Institution : DCC
Grievance # : 151666	Grievance Date : 02/08/2008	Category : Individual
Status : Unresolved	Resolution Status :	Resol. Date :
Grievance Type: Health Issue (Medical)	Incident Date : 02/08/2008	Incident Time :
IGC : Dutton, Matthew	Housing Location : Bldg 17, Lower, Tier A, Cell H, Single	

### OFFENDER GRIEVANCE DETAILS

**Description of Complaint:** Inmate Claims: On Feb 1, 2008 I wrote and submitted a medical sick call request form stating that my feet and severely dry and cracked and that I also have fungus in between my toes. I requested to be checked by the doctor in order to have the ointment Eucern and to re-prescribed to me. But the sick call slip was returned to me, stating that I should purchase said item from commissary.

**Remedy Requested :** To be checked by the doctor in order to be prescribed the ointments I need to remedy the aforementioned condition of my feet.

### INDIVIDUALS INVOLVED

Type	SBI #	Name
------	-------	------

### ADDITIONAL GRIEVANCE INFORMATION

Medical Grievance : YES	Date Received by Medical Unit : 02/22/2008
Investigation Sent : 02/22/2008	Investigation Sent To : Moore, Ronnie
Grievance Amount :	

**DELAWARE DEPARTMENT OF CORRECTIONS**  
**REQUEST FOR MEDICAL/DENTAL SICK CALL SERVICES**  
**FACILITY: DELAWARE CORRECTIONAL CENTER**

This request is for (circle one): MEDICAL DENTAL MENTAL HEALTH

Jimmie Lewis AHC SHU 17  
Name (Print) Housing Location  
[REDACTED] 506622 2/1/08  
Date of Birth SBI Number Date Submitted

Complaint (What type of problem are you having)? THE SKIN ON THE  
BOTTOM OF MY FEET ARE SEVERELY DRY & CRACKED  
IM REQUESTING TO BE PRESCRIBED UICERIN OINTMENT  
AS WELL AS TOLNATATE ANTI-FUNGAL.

Jimmie Lewis 2/1/08  
Inmate Signature Date

The below area is for medical use only. Please do not write any further.

S: C/O dysno 40 ft

received  
2/1/08

O: Temp: \_\_\_\_\_ Pulse: \_\_\_\_\_ Resp: \_\_\_\_\_ B/P: \_\_\_\_\_ WT: \_\_\_\_\_

A: Chart ✓ previous orders

P: \_\_\_\_\_

E: Memo: Lotin foot must be bought from commissary  
for dry skin no longer just given upon request  
[Signature] 2/4/08  
Provider Signature & Title Date & Time

SMYRNA DE, 19977  
Phone No. 302-653-9261**INFORMAL RESOLUTION****OFFENDER GRIEVANCE INFORMATION**

<b>Offender Name :</b> LEWIS, JIMMY	<b>SBI# :</b> 00506622	<b>Institution :</b> DCC
<b>Grievance # :</b> 21065	<b>Grievance Date :</b> 11/21/2005	<b>Category :</b> Individual
<b>Status :</b> Resolved	<b>Resolution Status:</b> Level 3	<b>Inmate Status :</b>
<b>Grievance Type:</b> Mail	<b>Incident Date :</b> 11/21/2005	<b>Incident Time :</b>
<b>IGC :</b> Merson, Lise M	<b>Housing Location :</b> Bldg 23, Upper, Tier D, Cell 2, Bottom	

**INFORMAL RESOLUTION**

<b>Investigator Name :</b> Smith, Tonya	<b>Date of Report :</b> 12/09/2005
---	------------------------------------

**Investigation Report :****Reason for Referring:**

<b>Investigator Name :</b> Smith, Tonya	<b>Date of Report :</b> 04/28/2006
---	------------------------------------

**Investigation Report :****Reason for Referring:** Ms. Smith,

This grievance has reached the 150 warning. Please have someone meet with the inmate for a level 1 and resolve if possible. Thank You,  
Cpl. Merson

<b>Investigator Name :</b> Smith, Tonya	<b>Date of Report :</b> 08/09/2006
---	------------------------------------

**Investigation Report :** The DCC Mail Room is to process outgoing legal mail within 48 hours of their receipt of such mail.**Reason for Referring:** Ms Smith this grievance is 9 months old and there has never been an investigation done one needs to be completed ASAP in order for a hearing to be held thank you Cpl Merson

<b>Investigator Name :</b> Profaci, Alisa	<b>Date of Report :</b> 08/18/2006
---	------------------------------------

**Investigation Report :****Reason for Referring:** Please review with Inmate.

<b>Investigator Name :</b> Burris, Betty	<b>Date of Report :</b> 10/26/2006
--	------------------------------------

**Investigation Report :****Reason for Referring:** As per your instructions.

<b>Investigator Name :</b> Smith, Tonya	<b>Date of Report :</b> 11/30/2006
---	------------------------------------

**Investigation Report :****Reason for Referring:** fy action.

**GRIEVANCE REPORT****OFFENDER GRIEVANCE INFORMATION**

<b>Offender Name</b> : LEWIS, JIMMY	<b>SBI#</b> : 00506622	<b>Institution</b> : DCC
<b>Grievance #</b> : 21065	<b>Grievance Date</b> : 11/21/2005	<b>Category</b> : Individual
<b>Status</b> : Resolved	<b>Resolution Status</b> : Level 3	<b>Resol. Date</b> : 03/27/2007
<b>Grievance Type</b> : Mail	<b>Incident Date</b> : 11/21/2005	<b>Incident Time</b> :
<b>IGC</b> : Merson, Lise M	<b>Housing Location</b> : Bldg 23, Upper, Tier D, Cell 2, Bottom	

**OFFENDER GRIEVANCE DETAILS**

**Description of Complaint:** The Mail Room is holding my legal mail that I am sending to the courts for 2 weeks before it is sent out. The dilemma is that the courts often order a rapid response (within 10 days) of receiving said order to respond. The 2 week delay for my response(s) can ultimately result in my case(s) being denied or procedurally barred due to my failure to respond with said court order.

**Remedy Requested** : I want my legal mail to be sent out to their destinations within 24 hours of being delivered to the Mail Room.

**INDIVIDUALS INVOLVED**

Type	SBI #	Name
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**ADDITIONAL GRIEVANCE INFORMATION**

<b>Medical Grievance</b> : NO	<b>Date Received by Medical Unit</b> :	
<b>Investigation Sent</b> :	<b>Investigation Sent To</b>	: Smith, Tonya
<b>Grievance Amount</b> :		

## GRIEVANCE INFORMATION - Appeal

### OFFENDER GRIEVANCE INFORMATION

Offender Name : LEWIS, JIMMY	SBI# : 00506622	Institution : DCC
Grievance # : 21065	Grievance Date : 11/21/2005	Category : Individual
Status : Resolved	Resolution Status : Level 3	Inmate Status :
Grievance Type: Mail	Incident Date : 11/21/2005	Incident Time :
IGC : Merson, Lise M	Housing Location : Bldg 23, Upper, Tier D, Cell 2, Bottom	

### APPEAL REQUEST

Appeal returned 27 March 2007.

Inmate states: As an inmate prisoner, I am allowed to utilize the pay to form #34 to cover the cost for legal mail postage; for which I must do without first knowing how much the cost of the legal mail postage will be, or exactly when the legal mail actually leaves this facility. My inmate individual account statement shows withdrawals for pay to's submitted two and three months prior, nor am I able to identify exactly who is responsible for withdrawing funds from my account. Also, I need to be able to factually verify that I have meet deadlines imposed by the courts.

### REMEDY REQUEST



**GRIEVANCE INFORMATION - WARDEN****OFFENDER GRIEVANCE INFORMATION**

<b>Offender Name</b> : LEWIS, JIMMY	<b>SBI#</b> : 00506622	<b>Institution</b> : DCC
<b>Grievance #</b> : 21065	<b>Grievance Date</b> : 11/21/2005	<b>Category</b> : Individual
<b>Status</b> : Resolved	<b>Resolution Status</b> : Level 3	<b>Inmate Status</b> :
<b>Grievance Type</b> : Mail	<b>Incident Date</b> : 11/21/2005	<b>Incident Time</b> :
<b>IGC</b> : Merson, Lise M	<b>Housing Location</b> : Bldg 23, Upper, Tier D, Cell 2, Bottom	

**REFERRED TO**

**Due Date** : \_\_\_\_\_ **Referred to:** \_\_\_\_\_ **Name:** \_\_\_\_\_

**Type of Information Requested** :

**DECISION**

**Date Received** : 01/05/2007

**Decision Date** : 03/16/2007 **Vote** : Deny

**Comments** : Denied. All outgoing legal mail is processed within 48 hours of the Mail Room receiving such.

cc IGC  
Inmate

\_\_\_\_\_  
**WARDEN / WARDEN'S DESIGNEE SIGNATURE**

\_\_\_\_\_  
**DATE**

**I WISH TO APPEAL THIS TO THE BUREAU GRIEVANCE OFFICER (B.G.O.)** YES: \_\_\_\_\_ NO: \_\_\_\_\_

\_\_\_\_\_  
**GRIEVANT'S SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**I.G.C. SIGNATURE**

\_\_\_\_\_  
**DATE**



**GRIEVANCE INFORMATION - RGC****OFFENDER GRIEVANCE INFORMATION**

**Offender Name :** LEWIS, JIMMY      **SBI# :** 00506622      **Institution :** DCC  
**Grievance # :** 21065      **Grievance Date :** 11/21/2005      **Category :** Individual  
**Status :** Resolved      **Resolution Status :** Level 3      **Inmate Status :**  
**Grievance Type:** Mail      **Incident Date :** 11/21/2005      **Incident Time :**  
**IGC :** Merson, Lise M      **Housing Location :** Bldg 23, Upper, Tier D, Cell 2, Bottom

**RGC****Date Received :** 12/26/2006**Date of Recommendation:** 01/05/2007**GRIEVANCE COMMITTEE MEMBERS**

Person Type	SBI #	Name	Vote
Inmate	00370464	NELSON, CRAIG C	Uphold
Inmate	00367132	STEVENS, RANDY W	Uphold
Staff		Schrader, Sarah	Uphold
Staff		Merson, Lise M	Uphold
Staff		McCreanor, Michael	Abstain

**VOTE COUNT****Uphold :** 4**Deny :** 0**Abstain :** 1**TIE BREAKER**

Person Type	SBI #	Name	Vote
-------------	-------	------	------

**RECOMMENDATION**

Hearing held 3 January 2007.

Uphold: Sent out 9-23-06. Arrived 10-5-06. Still happening. Mail addressed to Supreme court, Dover, Delaware. Court letter states appeal was 4 days late. There is no proof I/m sent letter on 9-23-06. I/m did not address grievance dated 11-2005. I/m stated 48 hrs deadline was acceptable. I/m would not sign.

Phone No. 302-653-9261

**GRIEVANCE REPORT****OFFENDER GRIEVANCE INFORMATION**

<b>Offender Name :</b> LEWIS, JIMMY	<b>SBI# :</b> 00506622	<b>Institution :</b> DCC
<b>Grievance # :</b> 16149	<b>Grievance Date :</b> 07/31/2005	<b>Category :</b> Individual
<b>Status :</b> Unresolved	<b>Resolution Status :</b>	<b>Resol. Date :</b>
<b>Grievance Type:</b> Law Library	<b>Incident Date :</b> 07/31/2005	<b>Incident Time :</b>
<b>IGC :</b> Merson, Lise M	<b>Housing Location :</b> Bldg 19, Upper, Tier D, Cell 12, Single	

**OFFENDER GRIEVANCE DETAILS**

**Description of Complaint:** Inmate claims he has been requesting legal assistance from the LL for the last two weeks but to no avail. He states none of his correspondences are acknowledged.

**Remedy Requested :** Inmate requests to be told why he is being denied LL access.

**INDIVIDUALS INVOLVED**

Type	SBI#	Name
------	------	------

**ADDITIONAL GRIEVANCE INFORMATION**

<b>Medical Grievance :</b> NO	<b>Date Received by Medical Unit :</b>
<b>Investigation Sent :</b>	<b>Investigation Sent To :</b> Little, Michael
<b>Grievance Amount :</b>	

RECEIVED

FEB 21 2008

DCC Warden's Office

2/21/08

To: Warden Phelps

From: Jimmie Lewis SBI #506622  
AHC SHU 17

1.) I'm writing because I have a few dilemmas that I must present to you for solutions. First of all, as of 12/9/07 I should have been placed on the waiting list for level 4 Glumma Center. I am being forced to serve my level 4 suspended sentence at level 5, CR A NO 03060176.

I am suppose to serve the later part of my sentence, for which is 6 month level 4 and 6 month probation. Because I am to be held at level 5 until space is available at level 4 my commitment isn't illegal until May 1, 08, (Cindy Wright records D.C.C.).

2.) The SHU law library clerk Brian Ingram will not provide me with the legal material I have requested on four separate occasions since Feb 1, 08. I have also had the counselor Linda Kemp deliver my law library request, but to no avail.

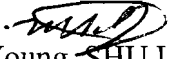
3.) Before I was transferred to D.P.C I owed \$589.00 for legal postage. At present I can't order the basic hygiene products like everyone else, such as deodorant, soap, lotion and toothpaste nor can I order from commissary any items such as food to supplement the very low calory diet. I hereby request that the legal postage bill be waived and or at least fixed so I can pay ~~max~~ 30% of the bill, for each money order I receive, for which would allow me to purchase the products I needed from commissary. Can you please contact the Support Service Dept in regards to this matter.

4.) I have grievencd these issues, but Capt McManor is doing his own thing, to the degree that he picks and chooses what grievance should be addressed even when its valid.

Please send me a return response on the issues as soon as possible.

M E M O

TO: I/M Jimmy Lewis, #506622, 19-A-U7, SHU

FROM: Mackinnon Young,  SHU Law Library Paralegal

RE: Request Received on September 8, 2005

Your request for photocopies of the attached Grievance Reports are denied on the basis that they are not legal photocopies as presented. I also refer you to Paralegal Brian Engrem's memo, dated April 19, 2005, denying a previous photocopy request of this nature.

Cc: File

FORM #584

## GRIEVANCE FORM

FACILITY: D.C.C DATE: 1/05/07  
 GRIEVANT'S NAME: Jimmie Lewis SBI#: 506622  
 CASE#: 97908 TIME OF INCIDENT: \_\_\_\_\_  
 HOUSING UNIT: MTH 23, D-4-2

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

BRIAN ENGRAM HAS REPEATEDLY DENIED  
ME LAW LIBRARY AND OR LEGAL MATERIAL  
ACCESS ON NUMEROUS OCCASIONS FOR WHICH  
HAS CAUSED ME NUMEROUS DILEMMAS  
WITH THE SUPERIOR COURT SUPREME COURT  
AS WELL AS WITH THE UNITED STATES  
DISTRICT COURT. BRIAN ENGRAMS ACTIONS  
DEFINE A VIOLATION OF MY 1ST UNITED STATES  
CONSTITUTIONAL RIGHTS, SEE GRIEVANCE # 16149  
DATED 7/31/05.

ACTION REQUESTED BY GRIEVANT: FOR THIS MATTER TO BE  
INVESTIGATED.

GRIEVANT'S SIGNATURE: Jimmie Lewis DATE: 1/05/07

WAS AN INFORMAL RESOLUTION ACCEPTED? \_\_\_\_\_ (YES) \_\_\_\_\_ (NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE  
 GRIEVANT

April '97 REV

RECEIVED

JAN 17 2007

Inmate Grievance Office

FORM #584

GRIEVANCE FORM

FACILITY: D.C.C DATE: 2/8/08  
 GRIEVANT'S NAME: JIMMIE LEWIS SBI#: 506622  
 CASE#: 151307 TIME OF INCIDENT: 2/8/08  
 HOUSING UNIT: AHC SHU 17

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

ON 2/4/08 I WROTE AND SUBMITTED  
 A REQUEST FOR PAGES 566 TO 626  
 AND 638 TO 645 OF THE  
 PRISONERS SELF HELP LITIGATION MANUAL,  
 THE TABLE OF CONTENTS FOR THE  
 FEDERAL RULES OF CIVIL PROCEDURES  
 AS WELL AS CASE LAW BUT AS OF TO  
 DATE MY LAW LIBRARY REQUEST FOR  
 SAID MATERIALS HAVE BEEN IGNORED

ACTION REQUESTED BY GRIEVANT: TO RECEIVE THE AFOREMENTIONED  
MATERIAL AS SOON AS POSSIBLE, AND FOR  
MY REQUEST FOR LAW LIBRARY ASSISTANCE  
TO BE ADDRESSED IN A APPROPRIATE AMOUNT  
OF TIME.

GRIEVANT'S SIGNATURE: Jimmie Lewis DATE: 2/8/08

WAS AN INFORMAL RESOLUTION ACCEPTED? \_\_\_\_\_ (YES) \_\_\_\_\_ (NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE  
 GRIEVANT

April '97 REV

RECEIVED  
 FEB 18 2008  
 INCH 2008 02



M E M O

TO: I/M Jimmie Lewis #506622

FROM: Brian Engrem, SHU Law Library Paralegal

DATE: January 27, 2006

RE: Photocopy Request

Your photocopy request for the 21 copies is denied. You have not sent a complaint that lists all defendants. There is no reason to supply you with the same amount of cover sheets for this complaint. You will need to supply the appropriate information to proceed with this photocopy request.

Cc: File



M E M O

TO: I/M Jimmie Lewis #506622

FROM: Brian Engrem, SHU Law Library Paralegal

DATE: June 8, 2005

RE: Photocopy Request

Your photocopy request is denied for photocopies. First, court cases, statutes, rules, digest keys and newspaper articles can be cited in your brief. Second, I contacted the Delaware Supreme Court regarding your case. You stated that the court rejected your brief and returned it with a citizen's guide. The court has indicated your motions have been forwarded to your lawyer John Edinger of the Public Defender's Office

Cc: File

M E M O

TO: I/M Jimmy Lewis #506622

FROM: Brian Engrem, SHU Law Library Paralegal

DATE: April 19, 2005

RE: Request Received on April 18, 2005

If you are requesting photocopies of the attached Grievance Reports, the request is denied. These reports are not considered legal photocopies as presented.

Cc: File

M E M O

TO: I/M Jimmie Lewis #506622

FROM: Brian Engrem, SHU Law Library Paralegal

DATE: October 4, 2005

RE: Photocopy Request

I called the US District Court in Wilmington regarding your amended complaint. The clerk's office indicates you have to be granted permission to amend your complaint. Your request for amending the complaint was received back in July. If the court grants your amended complaint, return your photocopy request with the order granting the amended complaint.

Cc: File

M E M O

TO: I/M Jimmie Lewis #506622

FROM: Brian Engrem, SHU Law Library Paralegal

DATE: December 6, 2005

RE: Photocopy Request

Your request is a court case sent to you from the public defender's office. The law library does not photocopy Court cases. Your request is denied. Indigent supplies are only given out by the law library when the inmate provides a documented court deadline and it is past the commissary date.

Cc: File



NEW CASTLE COUNTY  
Carvel State Building  
820 N. French Street  
Wilmington, DE 19801  
Criminal Division (302) 577-  
8500  
Fax: (302) 577-2496  
Civil Division (302) 577-8400  
Fax: (302) 577-6630  
TTY: (302) 577-5783

KENT COUNTY  
102 West Water Street  
Dover, DE 19904  
Criminal Division (302) 739-4211  
Fax: (302) 739-6727  
Civil Division (302) 739-7641  
Fax: (302) 739-7652  
TTY: (302) 739-1545

SUSSEX COUNTY  
114 E. Market Street  
Georgetown, DE 19947  
(302) 856-5353  
Fax: (302) 856-5369  
TTY: (302) 856-2500

PLEASE REPLY TO:

[New Castle County-Civil Division]

May 11, 2007

The Honorable Gregory M. Sleet  
United States District Court  
District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE 19801

Re: *Lewis v. Carroll, et al.*,  
D. Del., C.A. No. 06-778-GMS

Dear Judge Sleet:

Please allow this letter to reflect State Defendant Thomas Carroll's response in opposition to Plaintiff's Motion for Order to Compel Defendant Thomas L. Carrol [sic] to Place Jimmie Lewis into Protective Custody (the "Motion for Preliminary Injunction") (D.I. 10).

On April 20, 2007, Inmate Jimmie Lewis, SBI #506622, asked the officers at the Delaware Correctional Center to place him in protective custody. (Exhibit A at ¶ 2). Mr. Lewis's request for protective custody was based on his belief that two inmates were threatening him while he was housed on the Special Needs Unit. (Exhibit A at ¶ 2; Exhibit B). Mr. Lewis was placed in protective custody the same day as his request and he remained there until May 4, 2007, when he was transferred to the Infirmary. (Exhibit A at ¶ 3; Exhibit C). Mr. Lewis is, at present, still housed in the Infirmary but he will be transferred back to protective custody after the medical staff in the Infirmary discharges him. (Exhibit A at ¶ 3).

The Honorable Gregory M. Sleet

May 11, 2007

Page 2

Mr. Lewis's classification in protective custody is reviewed on a weekly basis. (Exhibit A at ¶ 4). However, Mr. Lewis will remain in protective custody until he no longer believes it necessary and signs off on a statement to that effect. (*Id.*).


Because Mr. Lewis is housed in protective custody and will remain there until he no longer believes the inmates are threatening his life, State Defendant Carroll asks that Lewis's Motion for Preliminary Injunction be denied as moot.

If the Court has any questions or concerns, or believes that a more formal response from State Defendant Carroll is required, please contact the undersigned counsel at (302) 577-8400. Thank you.

Sincerely,

*/s/ Erika Y. Tross*

Erika Y. Tross  
Deputy Attorney General  
Attorney for State Defendant  
Thomas Carroll

cc:  Jimmie Lewis, Plaintiff  
Enclosures

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

JIMMIE LEWIS,	)	
	)	
Plaintiff,	)	
	)	
	)	Civil Action No. 06-778-GMS
v.	)	
	)	Jury Trial Requested
	)	
THOMAS L. CARROLL, et al.	)	
	)	
Defendants.	)	

**AFFIDAVIT OF THOMAS SEACORD**

I, Thomas Seacord, having been duly sworn by law, do hereby depose and state as follows:

1. I am employed by the State of Delaware Department of Correction ("DOC") as a Lieutenant in the Classification Office at the Delaware Correctional Center ("DCC"), Smyrna, Delaware. I have been employed by DCC since May 30, 1989 and have worked in the Classification Office since August 1, 2005.

2. On April 20, 2007, Inmate Jimmie Lewis, SBI #506622, requested that he be moved to protective custody. Inmate Lewis stated that the reason he was requesting protective custody was because two inmates were threatening him while he was housed on the Special Needs Unit. Inmate Lewis was transferred to protective custody – Building 18, Tier C, Cell 12 – that same day.

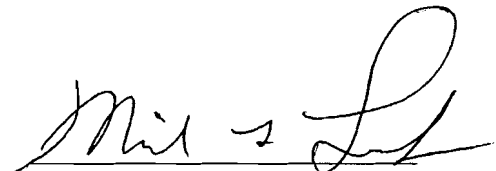
3. Approximately two weeks later, on May 4, 2007, Inmate Lewis was transferred to the Infirmary at DCC for treatment. Inmate Lewis is, at present, still

housed in the Infirmary. He will be transferred back to protective custody when he is discharged from the Infirmary.

4. When Lewis returns to protective custody I, along with another counselor, will review his classification on a weekly basis. Inmate Lewis, however, will remain in protective custody until he requests removal by signing off on a statement that he no longer believes protective custody is necessary.

  
Thomas Seacord

**SWORN AND SUBSCRIBED** before me this 10th day of May, 2007.

  
Notary





## Protective Custody

20	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
21	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
22	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
23	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
24	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
25	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
26	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
27	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
28	Lewis, Jimmy	506622	INF	4/20/2007	Carjacking 2nd, Theft over \$1000	11/1/2008	Signed on stating that 2 inmates in SNU were threatening to beat him up. Both inmates denied claim and Lewis admits to not taking meds	?
29	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
30	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

5/8/2007

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

STATE OF DELAWARE

v.

Jimmie Lewis

ID: 0305016966

ORDER

This 4<sup>th</sup> day of Dec, 2007, upon consideration of defendant's motion for reduction/modification of sentence, the presentence report/prior record, and the sentence imposed upon the defendant;

**NOW, THEREFORE, IT IS ORDERED** that defendant's motion for reduction/modification of sentence is DENIED for the following reason(s):

- ☐ The sentence in this case was imposed pursuant to a Plea Agreement between the State and the defendant and signed by the defendant. Superior Court Criminal Rule 11(e)(1)(c).
- ☒ The motion was filed more than 90 days after imposition of the sentence and is, therefore, time-barred. The Court does not find the existence of any extraordinary circumstances.
- ☒ Pursuant to Superior Court Criminal Rule 35(b), the court will not consider repetitive requests for reduction or modification of sentence.
- ☐ The sentence imposed is mandatory and cannot be reduced or suspended.
- ☐ The sentence was imposed after a violation-of-probation hearing was held, and the Court determined the defendant had violated the terms of his probation. The defendant is not amenable to probation at this time.
- ☒ The sentence is appropriate for all the reasons stated at the time of sentencing. No additional information has been provided to the Court which would warrant a reduction or modification of this sentence.
- ☒ Other: The Motion for Clarification is also denied

Peggy L. Ableman  
Judge Peggy L. Ableman

oc: Prothonotary  
pc: Defendant  
Department of Justice  
Investigative Services

**GRIEVANCE REPORT****OFFENDER GRIEVANCE INFORMATION**

<b>Offender Name :</b> LEWIS, JIMMY	<b>SBI# :</b> 00506622	<b>Institution :</b> DCC
<b>Grievance # :</b> 20618	<b>Grievance Date :</b> 11/12/2005	<b>Category :</b> Individual
<b>Status :</b> Unresolved	<b>Resolution Status :</b>	<b>Resol. Date :</b>
<b>Grievance Type:</b> Staff Issues	<b>Incident Date :</b> 11/12/2005	<b>Incident Time :</b> 10:45
<b>IGC :</b> Merson, Lise M	<b>Housing Location :</b> Bldg 19, Upper, Tier A, Cell 7, Single	

**OFFENDER GRIEVANCE DETAILS**

**Description of Complaint:** I was sprayed with capstun by Sgt. G. Everett while secured in Building 19, AU 7 because of my numerous request to speak to a Lieutenant. As a result I was transferred to the Infirmary for physical and psychiatric treatment. Today, Sgt. Everett approached my cell and made mention of making things worse by threatening to spray me again with capstun. She fabricated an allegation that I assaulted her.

**Remedy Requested :** An investigation by Internal Affairs to ensure that my U.S.C.A are unjustifiably violated.

**INDIVIDUALS INVOLVED**

Type	SBI #	Name
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**ADDITIONAL GRIEVANCE INFORMATION**

<b>Medical Grievance :</b> NO	<b>Date Received by Medical Unit :</b>
<b>Investigation Sent :</b>	<b>Investigation Sent To :</b> Taylor, Ramon
<b>Grievance Amount :</b>	

**Donahue Justine (Courts)**

**From:** Wright Cindy (DOC)  
**Sent:** Tuesday, March 18, 2008 10:32 AM  
**To:** Ableman Peggy L (Courts)  
**Cc:** Donahue Justine (Courts); Ruebeck Janice (Courts)  
**Subject:** RE: Habeas - Jimmie Lewis SBI#00506622

*Your honor,*

*Jimmy Lewis SBI: 506622 is currently serving the following sentences:*

*#0305016966 – CR# IN03-06-0175 - Carjacking 2<sup>nd</sup> – 5 years at level 5 – Sentenced on 2/11/05 by your honor.*

*#0305016966 – CR# IN03-06-0176 – Theft \$1000 or > - 2 years suspended after serving 1 year at level 5 followed by 6 months at Plummer Center – followed by 6 mths at level 3.*

*He is serving a total of 5 years at level 5. His effective date is 5/26/03 and his maximum expiration date is 5/24/09. His current short time release date after deduction of 204 statutory goodtime is 11/01/08.*

*This inmate was housed at Delaware Psychiatric Center from 8/27/07 until 12/14/07. He was then transferred to our institution due to his violence towards DPC staff.*

*Please do not hesitate to contact me for further information.*

**Cindy Wright**  
**Records Supervisor**  
**Delaware Correctional Center**  
**Phone 302-653-9261 ext. 2169**  
**Fax 302-653-5023**

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**From:** Ruebeck Janice (Courts)  
**Sent:** Tuesday, March 18, 2008 9:50 AM  
**To:** Wright Cindy (DOC)  
**Cc:** Ableman Peggy L (Courts); Donahue Justine (Courts); Waters Ophelia (DOJ)  
**Subject:** Habeas - Jimmie Lewis SBI#00506622

This defendant has filed a Petition for Writ of Habeas Corpus. Please identify for the court all commitments on which this defendant is being held. Please provide in your response Case ID Numbers, Criminal Action Numbers, and amounts and types of bail if applicable, sentences being served, detainers, capias and warrants, i.e. whatever is holding the defendant. If this defendant is being held awaiting Extradition, please provide the court with the time and date of the Extradition Hearing.

Please respond directly to Judge Ableman to whom this Habeas Corpus petition has been assigned, with a copy to her secretary Justine Donahue and myself. A quick response may eliminate the need to have the defendant transported to the courthouse for a hearing.

Thank you for your time and attention to this matter.

*Janice Ruebeck*  
Case Processing Supervisor  
NCC Prothonotary's Office  
ph. 302.255.0701  
fx. 302.255.2265

3/18/2008



STATE OF DELAWARE  
DEPARTMENT OF CORRECTION  
DELAWARE CORRECTIONAL CENTER  
OFFICE OF THE DEPUTY WARDEN  
1181 Paddock Road  
SMYRNA, DELAWARE 19977  
Telephone: (302) 653-9261  
Fax: (302) 659-6667

**MEMORANDUM**

TO: Inmate Jimmie Lewis SBI No. 00506622, Housing Unit 18  
FROM: Deputy Warden Burris EBurris  
DATE: March 13, 2007  
RE: Inmate Letter(s)

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During 2006, I did not have an opportunity to answer every inmate letter. However, action was taken on most letters received.

If you wrote to me in 2006, and the topic about which you wrote is still an issue for you, please write back to me now. I am at a point where I am answering every inmate letter again; therefore, you will receive an answer in the near future.

NAME Jimmie LewisDATE 9/8/07UNIT NORTH 63, JEMATTENDING PSYCHIATRIST DR DOWD ATRF

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form - Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

FOR THE LAST PAST (8) WEEKS, I'VE BEEN  
MONITORED FOR SUICIDE VIA ONE TO ONE CLOSE  
OBSERVATION, BUT INSTEAD OF THE TREATMENT TEAM  
UTILIZING (THE PINK SLIP NOTING ~~MY~~ SUICIDAL IDEATIONS  
~~THAT~~ VIA ONE TO ONE FLOW SHEET), (THE GOLD SLIP,  
NOTING SERIOUS HARM TO OTHER IS BEING UTILIZED  
AS THE ONE TO ONE FLOW SHEET.) THIS VALIDATES THAT  
THE TREATMENT TEAM IS NEGLECTING TO TREAT ME FOR  
MY SUICIDAL IDEATIONS, THIS IN CONJUNCTION WITH THE  
FACT THAT I HAVE NOT RECEIVED ANY COUNSELING FROM  
A BOARD CERTIFIED ~~PSYCHOMOTOR~~ PSYCHOLOGIST, DEFINES  
MISTREATMENT - ABUSE AND NEGLECT.

RESOLUTION SOUGHT: FOR THIS MATTER TO BE INVESTIGATED  
FOR MISTREATMENT - ABUSE AND NEGLECT.

Patient/Family Signature

Jimmie Lewis

Date

9/8/07

Received By

Shanell J. Hargan, LCN

Date

9/8/07**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE**

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.

Patient: Jimmie Lewis Date of Grievance: 9-8-07

## Response to Patient or Patient's Representative

The name of the hospital contact person: \_\_\_\_\_ Nancy D. Pearsall \_\_\_\_\_

The steps taken on behalf of the patient to investigate the grievance: Met with Mr Lewis

The results of the grievance process: We can use the gold or the blue since we have two concerns, however, we will change to blue to signify that we are paying attention to aggression and also monitoring for suicide. Also on 9-11-07 you will start receiving one on one counseling from your Psychiatric social worker Mr Benjamin.

The date the investigation was completed: 9/10/07Unit Director/Designee's Signature: Nancy D. PearsallDate: 9/10/07

I, Jimmie Lewis am    am not    satisfied with this response:  
 Patient/Representative's Signature

Date: 9/10/07**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

If the resolution is accepted, make a copy of this signed/dated Grievance Form for the patient or family. Forward the original Grievance Form to the Performance Improvement Department. If the resolution is not accepted, provide a copy of the form to the patient or patient's representative, fax a copy of the Grievance Form to the Performance Improvement Dept (255-4418) and forward the original Grievance Form to the Hospital Director/Designee.

**HOSPITAL DIRECTOR/DESIGNEE'S RESPONSE:**

Hospital Director/Designee Signature/Title: \_\_\_\_\_ Date: \_\_\_\_\_

I, \_\_\_\_\_ am    am not    satisfied with this response:  
 Patient/Representative's Signature

Date: \_\_\_\_\_

**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

Make a copy of this signed/dated Grievance Form for the patient or patient's representative. Forward the original form to the Performance Improvement Dept





DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: JIMMIE LEWISDATE: 8/22/07UNIT: NORTH 63, J.E.MATTENDING PSYCHIATRIST: DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

BECAUSE I AM IN AGONY = GRIEF AND DISPAIR,  
MY HOPELESSNESS ABOUT HOW I THINK AND FEEL AS A  
PERSON HAS CAUSED ME TO CONTINUOUSLY CONTemplate THOUGHTS  
OF SUICIDE. THIS GIVES REASON FOR WHY DR. DONAHUE  
PLACING ME ON ONE TO ONE CLOSE OBSERVATION ON 7/3/07,  
BUT AS OF TO DATE 8/22/07, I HAVE NOT HAD ANY TYPE  
OF PSYCHOTHERAPY FROM A PSYCHOLOGIST THAT WOULD HELP  
ME OBTAIN NORMACY AND OR AT LEAST CONTRACT FOR MY  
VERY OWN SAFETY.

RESOLUTION SOUGHT: TO RECEIVE PSYCHOTHERAPY FROM  
A PSYCHOLOGIST, AND FOR THIS MATTER TO BE INVESTIGATED  
FOR MISTREATMENT, ABUSE AND NEGLECT.

Patient/Family Signature: Jimmie LewisDate: 8/22/07Received By: [Signature]Date: 8-21-07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.



DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: JIMMIE LEWISDATE: 12/5/07UNIT: JEM NORTH 63ATTENDING PSYCHIATRIST: DR. A. DONALDUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

I'VE BEEN PUNISHED WITH LONG TERM  
PRIVILEGE RESTRICTION SINCE 7/3/07,  
FOR WHICH HAS ONLY MADE ME FEEL WORSE -  
BEING PLACED ON SUCH LONG TERM RESTRICTION,  
I.E, NO VISITS, NO VENDING, NO GYM, NO WEIGHT ROOM  
IS CRUEL AND UNUSAL BECAUSE OTHER PATIENT/RESIDENTS  
ARE ALLOWED SAID PRIVILEGES, AS WELL AS BECAUSE  
SAID PRIVILEGES ARE ACTUALLY DEEMED THERAPY (GYM - WEIGHT

RESOLUTION SOUGHT: FOR THIS MATTER TO BE INVESTIGATED  
FOR ABUSE - NEGLECT AND MISTREATMENT

Patient/Family Signature: Jimmie LewisDate: 12/5/07Received By: M. Carron RNDate: 12/5/07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance  
Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.



DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: JIMMIE LEWISDATE: 10/24/07UNIT: NORTH 63, J.E.MATTENDING PSYCHIATRIST: DR. A. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

IN REGARDS TO MY RAPIDLY APPROACHING DISCHARGE  
DATE 12/9/07, I HAVE REQUESTED THAT THE  
TREATMENT TEAM INFORM ME OF ALL NECESSARY  
TREATMENT - THERAPY AND OR COUNSELING THAT  
I SHOULD BE SUBJECTED TO AND OR BE REFERRED TO?  
BUT I HAVE NOT RECEIVED AN APPROPRIATE RESPONSE.

RESOLUTION SOUGHT: FOR THE TREATMENT TEAM  
TO INFORM ME OF ANY AND ALL NECESSARY TREATMENT -  
THERAPY AND OR COUNSELING THAT I SHOULD BE SUBJECTED  
TO IN REGARDS TO THE PROCEEDING FIRST AND SECOND  
YEAR(S) FOLLOWING MY RAPIDLY APPROACHING DISCHARGE  
DATE OF 12/9/07, CONSIDERING THAT I AM NOT "FLATLINE"  
BY THAT TIME.

Patient/Family Signature: Jimmie LewisDate: 10/22/07Received By: [Signature]Date: 10/22/07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.

### Mr. Lewis One to One Observation Guidelines.

- Specific Risk Issue line of the Flow sheet should read: **High Risk for aggression towards other with thoughts to hang himself. Patient also noted with inappropriate sexual behavior and statements.**
- Patients room and person is searched each shift patient and documented in the chart.
- Patient is not permitted personal belonging only Bible, two set of Reds, (5) sets of underwear. Cosmetic stored in the closet and given small amount as needed. Also No razors
- Patient is not permitted privacy. Gender appropriate staff when using the bathroom and during pat down searches while in camera view.
- Staff member must be within one arm length at all times direct eye sight except when in bed room he remains eye sight and staff must be positioned in the hall way with direct eye sight an only male staff on the 11-7 shift. He must move behind any unit movements i.e. last to enter dining room and last to leave. Keep buffer between him and other patients.
- If patient approaches a peer or staff member in an aggressive manner this could be verbal or physical, get your peers involved immediately and call the nurse.
- In the event that Mr. Lewis begins to threaten or intimidate you while monitoring him notify the nurse immediately so that he can be assessed for his level of aggression towards others. If he continues to threaten, intimidate, curse, posture and is unwilling to regain control after the least restrictive intervention have been attempted the nurse **must** consider the higher levels of interventions such as involuntary administration of medication, seclusion and **Four Point Restraints** if he has fails to deescalate while he is being secluded.
- The hourly summary documentation on the flow sheet must reflect and all threatening statements as well as any behavior while on the One to One observation. If you are relieved for any period the time must be reflected in the summary note.
- If Mr. Lewis is not following staffs direction while on the unit he should not be permitted off the unit for any additional activity. Notify the nurse immediately. He is currently on **Full Restriction**.
- Again notify the nurse immediately and get involved with all pre-crisis aggression such as arguing, threatening posturing etc.

NAME:

Jimmie Lewis

DATE:

8/22/07

UNIT:

NORTH 63 J.E.M.

ATTENDING PSYCHIATRIST:

DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

BECAUSE I AM IN A BONY - GRIEF AND DISPAIR,  
MY HOPELESSNESS ABOUT HOW I THINK AND FEEL  
AS A PERSON HAS CAUSED ME TO CONTINUOUSLY  
CONTINUE THOUGHTS OF SUICIDE. THIS GIVES  
REASON FOR WHY DR. DONAHUE PLACING ME  
ON ONE TO ONE CLOSE OBSERVATION ON 7/3/07,  
BUT AS OF TO DATE 8/22/07 I HAVE NOT  
HAD ANY PSYCHOTHERAPY FROM A PSYCHOLOGIST  
THAT WOULD HELP ME OBTAIN NORMALCY AND OR  
TO CONTRACT FOR MY VERY OWN SAFETY.  
RESOLUTION SOUGHT: TO RECEIVE ~~PSYCH~~ PSYCHOTHERAPY  
FROM A PSYCHOLOGIST

Patient/Family Signature:

Jimmie Lewis

Date:

8/22/07

Received By:

Dorothy J. Ramirez, RN

Date:

8/21/07

**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept (255-4418) IMMEDIATELY, prior to the start of the investigation.



**DELAWARE PSYCHIATRIC CENTER**  
Grievance Form

NAME: Jimmie LewisDATE: 8/29/07UNIT: NORTH 63, J.E.M.ATTENDING PSYCHIATRIST: DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

UPON RETURNING TO THE JANE E. MITCHELL BUILDING  
HERE AT THE D.P.C., DIRECTOR NANCY PEARSELL,  
NURSE MANAGER CURTIS CORNISH AND DR. DONAHUE ON  
8/27/07 PLACED ME ON 15 DAY FULL RESTRICTION, IN  
REGARDS TO MY BEING ASSULTED BY PATIENT /RESIDENT  
EARL WARREN, AND THEREFORE PUNISHED ME INSTEAD  
OF CALLING THE POLICE IN ORDER TO ALLOW ME TO  
PRESS CRIMINAL CHARGES AGAINST EARL WARREN  
EVEN THOUGH THE TREATMENT TEAM FULLY KNOWS  
THAT ON 7/2/2007 I FILED GRIEVANCE AGAINST  
EARL WARREN REGARDING ~~MY~~ HIS ASSULTING ME IN THE PAST.  
SAID MATTER DESCRIBES A VIOLATION OF MY 8TH AND 14TH  
UNITED STATES CONSTITUTIONAL RIGHTS AS WELL AS MY PATIENT  
RIGHTS.

RESOLUTION SOUGHT: FOR THIS MATTER TO BE INVESTIGATED  
FOR MISTREATMENT, ABUSE AND NEGLECT

Patient/Family Signature: Jimmie LewisDate: 8/29/07Received By: Janett J. Hamegan RNDate: 8/29/07**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.





DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: Jimmie LewisDATE: 10/7/07UNIT: NORTH 63 J.E.M.ATTENDING PSYCHIATRIST: DR. A DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

ON 10/5/07 AT OR ABOUT 11:00 PM

N.A. C. OATES THREATENED ME, I REQUESTED THAT  
HE CONTACT A NURSE BUT HE REFUSED TO DO SO.

THEREAFTER, C. OATES AGAIN POSTERED ON ME IN  
THE HALL WAY AS IF HE WAS GOING TO STRIKE ME  
WITH HIS FIST. I THINK N.A. C. OATES INTENDS TO  
DO ME PHYSICAL HARM

RESOLUTION SOUGHT: FOR THIS MATTER TO BE INVESTIGATED  
FOR MISTREATMENT AND ABUSE.

Patient/Family Signature: Jimmie LewisDate: 10/7/07Received By: [Signature]Date: 10/7/07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance  
Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.



DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: Jimmie LewisDATE: 10/7/07UNIT: NORTH 63, JEMATTENDING PSYCHIATRIST: DR. A DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

BECAUSE (A) OF MY GRIEF, AGONY AND DISPAR  
F AM SUICIDAL, (B) BECAUSE MY COGNITIVE AND  
VOLITIONAL FUNCTIONS ARE GROSSLY UNBALANCED,  
(C) ALONG WITH THE STAFF UTILIZING SEAN SISSON'S  
AND EARL WARREN TO SET ME UP TO ACT OUT IN  
SOME SORT OF CRIMINAL MANNER, GIVES REASON  
WHY I ~~SHOULD~~ SHOULD BE RECEIVING HELP SUCH AS  
PSYCHOTHERAPY FROM A PSYCHOLOGIST, BUT FOR THE LAST  
PAST (12) WEEK THE TREATMENT TEAM HAS DENIED ME THE  
AFOREMENTIONED TREATMENT BECAUSE I HAVE PENDING  
CIVIL COMPLAINT 04-1350 GMS

RESOLUTION SOUGHT: FOR THIS MATTER TO BE INVESTIGATED  
FOR MISTREATMENT, ABUSE AND NEGLECT.

Patient/Family Signature: Jimmie LewisDate: 10/7/07Received By: [Signature]Date: 10/7/07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.





DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: JIMMIE KENISDATE: 8/22/07UNIT: NORTH 63 J.E.MATTENDING PSYCHIATRIST: DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

SUSAN WATSON ROBINSON THE DIRECTOR OF D.P.C  
TOURED THE MITCHELL COMPLEX TODAY BUT FAILED  
TO ADDRESS ~~THE~~ ANY RESIDENT/PATIENTS SUCH AS MYSELF  
IN ORDER TO PERSONALLY FIND OUT IF THERE ARE ANY  
DILEMMA'S HERE AT THE MITCHELL BUILDING AS IT HAS  
BEEN NOTED IN THE NEWS JOURNAL REGARDING ~~ABU~~  
PATIENT ABUSE – MISTREATMENT AND NEGLECT AS IS  
ALSO NOTED IN THE 40 OR MORE GRIEVANCES IVE FILED  
SINCE MY 6/6/07 ARRIVAL HERE AT THE J.E.M  
RESOLUTION SOUGHT: FOR THIS MATTER TO BE INVESTIGATED  
FOR NEGLECT.

Patient/Family Signature: *Jimmie Kenis*Date: 8/22/07Received By: *[Signature]*Date: 8-21-07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept (255-4418) IMMEDIATELY, prior to the start of the investigation.



DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: Jimmie LewisDATE: 8/8/07UNIT: South 18ATTENDING PSYCHIATRIST: DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.) If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a member of your Treatment Team.

UNDER COLOR OF STATE LAW HERE AT THE D.P.C THE TREATMENT TEAM, NANCY DEARSALL - DR. DONAHUE - CURTIS CORNISH AND DR. CHARLOTTE SELLS HAVE PLACED ME ON 15 DAY RESTRICTION FOR BREAKING THE TOILET BOLL IN THE SOUTH SIDE DAY HALL WITHOUT

- 1.) GIVEN ME AN OPPORTUNITY TO CONFRONT MY ACCUSER
- 2.) WITHOUT PROVIDING ME WITH A WRITTEN NOTICE OF THE ALLEGED DISCIPLINARY ~~ACT~~ INFRACTION
- 3.) WITHOUT PROVIDING ME WITH ANY WRITTEN CONCLUSIVE FACT FINDING,
- 4.) WITHOUT ALLOWING ME TO APPEAL THEIR DISISION
- 5.) WITHOUT PROVIDING ME WITH A DISINTERESTED PERSON, I.E., THE PATIENT ADVOCATE AT THE HEARING.

THE 15 DAY SANCTION GIVEN TO ME BY THE TREATMENT TEAM, DEFINING THAT I AM RESTRICTED FROM OBTAINING VENDING MACHINE ITEMS, CANDY ETC, VISITS, FRESH AIR, RECREATION, LIKE OTHER PATIENT/RESIDENTS. VIOLATES MY PATIENT RIGHTS AS WELL AS MY 14<sup>TH</sup> AND 8<sup>TH</sup> UNITED STATES CONSTITUTION RIGHTS.

RESOLUTION SOUGHT: FOR ALL THE RESTRICTION TO BE LIFTED IMMEDIATELY, AND TO BE PROVIDED WITH THE LISTED INFORMATION

Patient/Family Signature: Jimmie LewisDate: 8/8/07Received By: Amberly LewisDate: 8/8/07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.

NAME: JIMMIE LEWISDATE: 6/12/07UNIT: NORTHATTENDING PSYCHIATRIST: DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

HALDOL - ATTAN AND GEODON ARE PSYCHOTROPIC  
MEDICATIONS THAT I AM NOT IN AGREEMENT WITH  
BECAUSE OF CIVIL ACTION CLAIMING SAID PSYCHOTROPIC  
MEDICATIONS HAVE CAUSED ME INJURIES,  
AS IS NOTED IN C.A NO. 04-1350 (GMS).

THE RESOLUTION I SEEK IS FOR DIFFERENT MEDICATIONS  
OTHER THAN HALDOL - ATTAN AND GEODON TO  
BE AVAILABLE PER PRN

Patient/Family Signature: Jimmie LewisDate: 6/12/07Received By: Linda Lopez, CNADate: 6/12/07**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

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DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: JIMMIE LEWISDATE: 7/21/07UNIT: SOUTH 18ATTENDING PSYCHIATRIST: DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form - Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

IN REGARDS TO FORENSIC PSYCH EVAL  
OF SANITY AND COMPETENCY DURING  
THE DATE OF MY MAY 26, 2003 ARREST  
AND MY COMPETENCY DURING MY OCT 21-23-03  
CRIMINAL TRIAL; FOR WHICH WAS CONDUCTED  
BY DR. SYLVIA FOSTER ON JUNE 10, 04 AND IS  
TO ERRONEOUS FOR THE N.C.C SUPERIOR COURT TO  
RELY ON

RESOLUTION SOUGHT: FOR A INDEPENDENT PSYCHIATRIST  
AND PSYCHOLOGIST TO CONDUCT A INDEPENDANT  
PSYCHEVAL PURSUANT TO 16 DEL C 5161

Patient/Family Signature: Jimmie LewisDate: 7/21/07

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation



NAME: Jimmie Lewis DATE: 7/20/07  
UNIT: SOUTH 18 ATTENDING PSYCHIATRIST: DR. DONALDUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

REGARDING S.I.R.S TEST BEING  
CONDUCTED BY A DISINTERESTED  
AN INDEPENDENT PSYCHIATRIST  
NOT EMPLOYED BY THE D.P.C  
SEE ATTACHED STATEMENT;  
AS WELL AS # 3 OF NOTIFICATION  
OF PATIENT RIGHTS D.P.C ATTACHED  
AS EXHIBIT.

Patient/Family Signature:

Jimmie Lewis

Date:

7/20/07

Received By:

Lucie M. Pankster

Date:

7/20/07**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept (255-4418) IMMEDIATELY, prior to the start of the investigation.



DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: Jimmie Lewis

DATE: 12/3/07

UNIT: JEM NORTH 63

ATTENDING PSYCHIATRIST: DR. A. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.) If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a member of your Treatment Team.

DUE TO MY BEING INJECTED WITH  
NUMEROUS PSYCHOTROPIC DRUG DATING  
FROM 5/21/04 TO 6/25/04 HERE AT  
THE J.E.M. BUILDING, I BELIEVE SAID  
DRUGS, I.E., ATIVAN - HALDOL - GEODON  
GAVE ME BRAIN DAMAGE.

RESOLUTION SOUGHT: FOR THIS MATTER  
TO BE INVESTIGATED VIA C.A.T AND OR MRI  
SCAN.

Patient/Family Signature: Jimmie Lewis

Date: 12/03/07

Received By: Jemina Hupn RN

Date: 12/03/07

**DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:**

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.



DELAWARE PSYCHIATRIC CENTER  
Grievance Form

NAME: Jimmie LewisDATE: 8/8/07UNIT: SOUTH 18ATTENDING PSYCHIATRIST: DR. DONAHUE

In the space below, please write your complaint or grievance. (Use additional pages if necessary.)  
If you need help in completing this form – Unit Staff, the Patient Advocate (255-2775), or the  
Director of Consumer Affairs (255-9421) will assist you. Give the completed form to unit staff or a  
member of your Treatment Team.

I AM NOT IN AGREEMENT WITH DR. DONAHUE  
PRESCRIBING ME PSYCHOTROPIC MEDICATIONS, ESPECIALLY  
IN REGARDS TO DR. DONAHUE NOTING ME THAT  
HE DOES NOT HAVE ME AS BEING DIAGNOSED WITH  
ANY MENTAL ILLNESSES.

FOR RESOLUTION SOUGHT! FOR ANY AND ALL  
PSYCHOTROPIC MEDICATIONS TO BE DISCONTINUED  
IMMEDIATELY, BECAUSE I NEVER WAS IN AGREEMENT  
TO ANY PSYCHOTROPIC MEDICATION BEING INVOLUNTARILY  
GIVEN TO ME.

Patient/Family Signature: Jimmie LewisDate: 8/8/07Received By: Kimberly GableDate: 8/8/07

## DIRECTIONS FOR UNIT DIRECTOR/DESIGNEE:

Make a copy of this signed/dated Grievance Form for the patient or family. Fax a copy of the form to the Performance Improvement Dept. (255-4418) IMMEDIATELY, prior to the start of the investigation.

I/M: Jimmie Lewis  
SB# 506622 UNIT SHU17, A11  
~~DELAWARE~~ ~~DELAWARE~~ ~~DELAWARE~~  
DELAWARE INTERNATIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977



CLERK OF THE COURT (GMS)  
U. S. DISTRICT COURT  
844 N. KING ST, COCKBOY 18  
WILMINGTON, DELAWARE  
19801